

Message

From: Deegan, Dave [Deegan.Dave@epa.gov]
Sent: 10/1/2020 8:48:18 PM
To: R1 Executives All [R1ExecutivesALL@epa.gov]
Subject: FW: Daily News Clips: Afternoon Edition, 10/01/20

From: Kibilov, Nicholas
Sent: Thursday, October 1, 2020 4:48:12 PM (UTC-05:00) Eastern Time (US & Canada)
To: AO OPA OMR CLIPS
Subject: Daily News Clips: Afternoon Edition, 10/01/20

Daily News Clips: October 1, 2020 (afternoon edition)

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[National Law Review: Looming November 30, 2020 EPA Submission Deadline for Chemical Data Reporting Requires Attention Now](#)

[National Law Review: PFAS — What You Need to Know in Transactions](#)

[CoatingsWorld: Pilot Chemical Adds EPA Emerging Viral Pathogen Claim to 8 Products](#)

[wpr: Trump's EPA Touts Revisions To Lead Regulations, With Final Rule Just Weeks Away](#)

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[Inside Climate News: At One of America’s Most Toxic Superfund Sites, Climate Change Imperils More Than Cleanup](#)

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[MarketScreener: EPA selects Montana State University to receive \\$299,881 in funding to initiate anaerobic digestion pilot study](#)

Market Screener: EPA U S Environmental Protection Agency : Announces Selection of WSU for \$129,727 Grant to Help Communities Turn Food Waste into Fuel and Fertilizer

NorthJersey.com: Fairfield Superfund site plan to clean up contaminated soil finalized by EPA

MarketScreener: Massachusetts-based Center for EcoTechnology Among 12 Organizations to Receive EPA Funding to Support Anaerobic Digestion in Communities

MarketScreener: U.S. EPA selects two California organizations for funding to support food waste reduction through anaerobic digestion

Water

NorthJersey.com: EPA moves forward with controversial toxic water cleanup in Ringwood

Patch: Nassau Settles Federal Environmental Lawsuit

New England Public Media: Turning To Town Meetings To Overturn Approval Of PCB Dump In Berkshire County

PublicNow: U.S. EPA Announces \$88 Million Water Infrastructure Loan For Innovative Water Reuse Project In Soquel, CA

EPA OIG Finds TSCA Service Fee Fund Financial Statements to Be “Fairly Presented and Free of Material Misstatement”

<https://www.natlawreview.com/article/epa-oig-finds-tsca-service-fee-fund-financial-statements-to-be-fairly-presented-and>

ARTICLE BY

Lynn L. Bergeson

Carla N. Hutton

Thursday, October 1, 2020

The U.S. Environmental Protection Agency’s (EPA) Office of Inspector General (OIG) published on September 30, 2020, its audit of EPA’s Toxic Substances Control Act (TSCA) Service Fee Fund financial statements for the period from Inception (June 22, 2016) through September 30, 2018. The Frank R. Lautenberg Chemical Safety for the 21st Century Act (Lautenberg Act) requires EPA to prepare and OIG to audit the TSCA Service Fee Fund financial statements each year. OIG states that its primary objectives were to determine whether the financial statements were fairly stated in all material respects; EPA’s internal controls over financial reporting were in place; and EPA management complied with laws and regulations. OIG notes that the TSCA Service Fee Fund has been designed to defray up to 25 percent of the costs associated with implementing key TSCA provisions. According to OIG, EPA overstated expenses from other appropriations by \$8.4 million. OIG states it found that EPA made errors in multiple iterations of its calculation for expenses from other appropriations. No significant matters involving compliance with applicable laws and regulations, contracts, and grant agreements came to OIG’s attention during the course of the audit.

OIG recommends that the chief financial officer: (1) improve the management review process for calculating expenses from other appropriations to be consistent with EPA component financial statement audits and to ensure that costs support the TSCA Service Fee Fund activities; and (2) establish written policies and procedures so that expenses from other appropriations in component audits reflect actual costs. According to OIG, EPA concurred with its recommendations and provided “acceptable corrective actions and estimated completion dates.” OIG states that it considers the recommendations resolved with corrective actions pending.

Marshall Asks EPA To Make Dicamba Available For Farmers

<http://www.publicnow.com/view/E72AD1094B44E7F238B6EE960C7B8EA5D9FE7F84?1601542145>
09/30/2020 | Press release | Distributed by Public on 10/01/2020 02:15

WASHINGTON - Today I joined a bipartisan group of 31 of my House colleagues in sending a letter to U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler asking him to issue new registrations for several dicamba weed control products so Kansas farmers can continue to utilize these important tools on their farms.

Earlier this year, the 9th Circuit Court vacated dicamba's chemical registrations, making it illegal for farmers to use them. Worse yet, the ruling came in the middle of the growing season, leaving many producers with unsprayed or partially sprayed fields. A new registration by the EPA would allow farmers certainty as they begin planning for the 2021 growing season.

'When the courts issued their ruling in June, I immediately spoke up and began fighting for farmers to again have access to these vital weed management products,' said U.S. Congressman Roger Marshall, M.D. 'I am committed to helping our farmers safely and effectively utilize all weed management products to ensure that they can maintain productive farms and fields. Without the dicamba products, soybean, cotton, milo and other farmers will again be forced to look for alternatives, which will be more expensive and less accessible for producers in Kansas and across the country.'

You can read the full text of the letter [HERE](#).

New Tank Mixes to Reduce Off-Target Damage from Dicamba

<https://www.agprofessional.com/article/new-tank-mixes-reduce-target-damage-dicamba>

By [Sonja Begemann](#)

October 1, 2020 12:14 PM

BASF and Bayer are each creating a new tank-mix partner for their dicamba products. Both company tank mixes focus on reducing volatility. These products will need EPA approval.

"We're waiting for registration [for over-the-top dicamba] by the EPA, and we anticipate that they will require a buffering agent to be used in tank mixes," says Tracy Rowlandson, BASF technical marketing manager. "So, if that happens Sentris will be available as a tank mix adjuvant."

BASF's new product, upon EPA approval, will be considered a buffering agent. It works in the mix to stabilize the pH of the dicamba product to help keep it above a pH of 5. If you can keep dicamba in an ion form, not acid form, it's less susceptible to volatilization.

Bayer's new volatility reducing product doesn't have a name—or at least, the company has not announced it yet. The product may become part of EPA's XtendiMax registration decision for 2021 and beyond.

"When you add this product to the tank, it further reduces the volatility potential of XtendiMax," says Alex Zenteno, Bayer dicamba product manager. "This tank mix additive provides additional comfort of application to users and is an added enhancement to the Roundup Ready Xtend Crop System."

Each of these tank mix adjuvants will help with the untraceable damage from volatility—which can happen hours to days after the initial application. However, it's not a drift reduction agent so all drift mitigation measures need to be followed at application.

BASF adds new premix to dicamba lineup

Pending EPA approval, BASF is set to launch Engenia Prime, a premix with pyroxasulfone (Zidua), imazethapyr (Pursuit) and dicamba (Engenia). The premix includes three unique modes of action, one each from group 2, group 4 and group 15 herbicides.

“It will really give farmers a chance for some simplicity in terms of going out to the field but it will also make sure they’re making the right application on each acre,” says Scott Kay, vice president, U.S. Crop, BASF Agricultural Solutions. “Another characteristic of it is that we want to see it applied early—pre or very early post before the weeds are 4 inches tall.”

The premix will be registered for use in soybeans and has an 18-month plant back restriction for farmers who plan to grow cotton. Use rates and more tank prep information will be available upon EPA approval.

WHEELER EXPECTS MID-OCTOBER DICAMBA DECISION

<https://brownfieldagnews.com/news/wheeler-expects-mid-october-dicamba-decision/>

October 1, 2020 By [Mark Dorenkamp](#)

The head of the EPA expects a decision on the re-registration of two dicamba herbicides by mid-October.

During a webinar hosted by Minnesota Farm Bureau Thursday, Andrew Wheeler said his agency is reviewing applications for Bayer’s Xtendimax and Engenia from BASF.

“We hope (and) intend to have a decision made by the middle of October on whether or not we’ll be able to license dicamba for the 2021 growing season.”

He says he understands timing is important as farmers make plans for next year.

“I know people need to have advanced notice on it, so we’re working very hard. We can’t just approve dicamba without going through all of the science, and taking a look at all of the issues and the court decision itself to see what issues they raised.”

Wheeler is referring to the 9th Circuit Court ruling in June that vacated registrations for Xtendimax, Engenia, and Corteva’s dicamba herbicide FeXapan. He says EPA is doing a very thorough review to prevent the Court from immediately striking down those registrations again.

Air Quality Alert has been Issued Through the Weekend for SLO County

<https://atascaderonews.com/news/air-quality-alert-has-been-issued-through-the-weekend-for-slo-county/>

By [Press Release](#) | Oct 1, 2020

SAN LUIS OBISPO — The San Luis Obispo (SLO) County Air Pollution Control District and Public Health Department are working in partnership to assess the air quality in order to identify any potential health impacts and to inform the community about safeguarding individual health. At this time, several wildfires outside of San Luis Obispo County are continuing to impact air quality throughout San Luis Obispo County.

Expect skies to be hazy and fine particulate (PM2.5) concentrations to be higher than normal. Changing winds make it difficult to predict which areas of the county may be most affected and conditions are rapidly changing. However, until the fires are put out, smoke will likely be intermittently present in our region.

A helpful resource officials are recommending to the public, in addition to SLOCleanAir.org website and AirAware text notifications is the EPA's Fire and Smoke Map that shows monitoring locations and the smoke plume. This map can be found at [Fire.AirNow.Gov](https://www.fireairnow.gov/).

If you smell smoke or see ash fall:

Air District officials recommend that if you smell smoke or see ash, take precautions, and use common sense to reduce your exposure to smoke. All adults and children should:

Head indoors and remain indoors, if possible

Avoid strenuous outdoor activity

Close all windows and doors that lead outside to prevent bringing additional smoke inside

These precautions are especially important for sensitive groups, including children, older adults, and people with existing respiratory illness and heart conditions, as they are particularly vulnerable to the health effects of poor air quality. Families with small children should be aware that even if adults in the household have no symptoms, children may experience symptoms due to their smaller body mass and developing lungs. If smoke increases, healthy people could be affected as well. If you experience a cough, shortness of breath, wheezing, exhaustion, light-headedness or chest pain, stop any outdoor activity immediately and seek medical attention. More information can be found at slocleanair.org/air-quality/wildfire.

AMERICAS: US PORTS SET TO BENEFIT FROM EPA FUNDING

<https://www.bunkerspot.com/americas/51452-americas-us-ports-set-to-benefit-from-epa-funding>

Written by Rhys Berry

Published: 01 October 2020

The Environmental Protection Agency (EPA) has awarded funding to the Port of Providence to support emissions reductions, and will provide more than \$2 million to the San Diego County Air Pollution Control District (APCD) for the acquisition of a zero-emission tugboat in the Port of San Diego.

The Port of Providence, Rhode Island is one of 11 air toxics monitoring projects selected by the EPA to receive funding under the Agency's Community-Scale Air Toxics Ambient Monitoring grants.

Under this programme, the Rhode Island Department of Environmental Management (RIDEM) will receive \$263,502 to monitor air toxics emissions near the Port of Providence and characterise risk to the most highly affected populations, including surrounding environmental justice areas, schools and hospitals.

‘EPA is very happy to provide these funds to boost air monitoring near the Port of Providence,’ said EPA New England Regional Administrator, Dennis Deziel. ‘EPA and RIDEM have made great strides to address concerns raised by the nearby community and expanding this air toxics monitoring program will make a significant difference to protect people's health.’

The EPA has also awarded the San Diego County Air Pollution Control District (APCD) \$2.0 million to replace one Tier 2 diesel-powered tugboat, used in vessel escort operations at the Port of San Diego, with a new tugboat powered by a zero-emission electric propulsion system. The funds will be combined with \$17.61 million in leveraged funds from San Diego County APCD and project partner Crowley Marine.

‘The tugboat to be replaced under this project operates full-time at the Port of San Diego, where nearby communities face significant air quality challenges,’ said West Coast Collaborative, a public- private partnership aimed at reducing diesel emissions.

'In addition, the San Diego Air Basin remains in non-attainment for ozone. San Diego County is also designated by US EPA as an air toxics assessment area where much of the population is exposed to more than 2.0 µg/m3 of diesel particulate matter emissions,' it added.

The tugboat to be upgraded in the project operates near the Portside Community of San Diego, which is disproportionately affected by heavy-duty diesel pollution from goods movement operations at the Port of San Diego and along nearby major transport corridors.

West Coast Collaborative claims that equipment replacements will reduce emissions of NOx by 204 tonnes, fine particulate matter by three tonnes, and carbon dioxide by 5,220 tonnes over the project lifetime. Some 44,200 gallons of diesel fuel is also expected to be saved.

Current air pollution tied to more severe COVID-19 outcomes, study finds

<https://medicalxpress.com/news/2020-10-current-air-pollution-tied-severe.html>

by Georgia State University

1 Oct 2020

Contemporaneous exposure to air pollution may influence the severity of COVID-19 illness and increase the likelihood people will die from the disease, a team of Georgia State University economists says.

The team examined daily [air pollution](#) data collected from U.S. Environmental Protection Agency (EPA) monitoring stations across the United States as well as COVID-19 mortality and caseload data from the Johns Hopkins University Center for Systemic Science and Engineering. Their study harnesses plausibly random changes in wind direction, which lead to large fluctuations in air pollution, to assess the relationship between [air pollution exposure](#) and COVID-19 caseload and mortality. The researchers used cell phone data and state-level policies adopted to curb the spread of the virus to control for social distancing measures. They found that between Jan. 22 and Aug. 15, decreases in contemporaneous exposure to fine particle air pollution are linked to decreases in confirmed COVID-19 cases and decreases in mortality.

"Local governments are weighing the trade-offs between reopening the economy and minimizing the toll of COVID-19," said Stefano Carattini, assistant professor of economics at the Andrew Young School of Policy Studies. "Our paper shows that by keeping current air pollution low, it's possible to help offset the disease burden created by reopening."

Air pollution levels in the U.S. have not decreased significantly during the pandemic, despite the concurrent increase in remote work and decrease in travel.

"For the past few years, the U.S. has deregulated facilities that are responsible for large amounts of emissions," said Carattini. "During the pandemic, these facilities were exempt from reporting their levels of emissions to the EPA, and other research has shown that this has increased pollution levels around those facilities."

The effects of air pollution on COVID-19 mortality are relatively large, according to the study. A decrease of one microgram of particulate matter per cubic meter of air (one microgram equals one-millionth of a gram) is sufficient to almost immediately reduce the number of newly confirmed COVID-19 cases by two percent and the number of deaths by three to four percent.

The researchers suggest a number of policy changes that could help reduce levels of fine particles and improve COVID-19 outcomes. At the federal level, reinstating EPA regulations may reduce air pollution by large emissions producers. States can limit non-essential travel and encourage continued teleworking. Local

governments can regulate vehicle emissions by moving forward with congestion fees or tolls to limit traffic or using their cleanest bus fleet, especially if buses are not running at full capacity.

"We know that policymakers have no room to change past exposure to pollution," said Carattini. "But they have power to change the current conditions and the future."

"The paper's findings also help to explain the fact that some socioeconomic groups have been disproportionately impacted by the COVID-19 pandemic," said John Gómez Mahecha, a Ph.D. student at the Andrew Young School and coauthor of the study. "These groups, indeed, are known to be more likely to be living in areas where exposure to pollution, including fine particulate matter, is higher."

NRDC: EPA Rollback Boosts Toxic Air Pollution and Health Risks Including Cancer

<https://www.nrdc.org/media/2020/201001-0>

By Jake Thompson, Elizabeth Heyd

October 01, 2020

WASHINGTON – The Environmental Protection Agency is finalizing an environmental rollback that ends enforcement of a longstanding “once in, always in” toxic air pollution policy, which required industrial facilities to implement major pollution control measures as long as the plant is in operation.

The following is a statement by John Walke, clean air director in the Climate & Clean Energy program at NRDC (Natural Resources Defense Council):

“EPA’s ill-conceived move lets polluters of the most toxic air pollution regulated by the Clean Air Act increase that pollution by two, five or even 10 times what they were spewing into the air before this rollback. That will expose people to more mercury, lead, arsenic, asbestos and benzene pollution—and harmful health impacts including cancer, neurotoxic effects, fetal damage and premature death.

“That’s dangerous and immoral, especially amid a respiratory pandemic hitting hardest on people exposed to high levels of air pollution. We intend to fight this with every tool available.”

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The Natural Resources Defense Council (NRDC) is an international nonprofit environmental organization with more than 3 million members and online activists. Since 1970, our lawyers, scientists, and other environmental specialists have worked to protect the world's natural resources, public health, and the environment. NRDC has offices in New York City, Washington, D.C., Los Angeles, San Francisco, Chicago, Bozeman, MT, and Beijing. Visit us at [NRDC.org](https://www.nrdc.org) and follow us on Twitter [@NRDC](https://twitter.com/NRDC).

Trump EPA Finalizes Air Toxics Loophole That Will Allow More Dangerous, Cancer-Causing Pollution

<https://www.edf.org/media/trump-epa-finalizes-air-toxics-loophole-will-allow-more-dangerous-cancer-causing-pollution>

By Sharyn Stein

October 1, 2020

(Washington, D.C. – October 1, 2020) The Trump EPA today finalized a loophole in the laws protecting Americans from hazardous industrial pollution, leaving millions of people more vulnerable to benzene, mercury and other dangerous or cancer-causing pollutants.

The loophole would allow thousands of large industrial facilities that are currently regulated as “major” sources to opt out of protective standards for hazardous air pollutants – undermining the permanent reductions in pollution that these essential Clean Air Act protections are intended to achieve. Many of the facilities that could increase pollution under the loophole are in low-income communities and communities of color. They are already suffering disproportionate burdens from more air pollution and are the most vulnerable to the health impacts of poor air quality.

“EPA’s reckless decision to allow large sources of dangerous pollution to pollute even more – and in the midst of a pandemic that has already claimed more than 200,000 American lives – undermines the Clean Air Act and endangers the health of communities nationwide,” said Tomás Carbonell, lead attorney for Environmental Defense Fund. “This rollback of vital health protections is as unlawful as it is outrageous, and we will make every effort to oppose it.”

Under the Clean Air Act, large industrial facilities must comply with “maximum achievable control technology” standards (MACT standards) if their emissions of hazardous air pollutants exceed “major source” thresholds. The MACT standards apply to 187 dangerous and cancer-causing pollutants, and are so effective in reducing air pollution that they often cause industrial facilities to fall well below the thresholds. For that reason, EPA interpreted the Clean Air Act in 1995 to require major industrial facilities to comply with MACT standards for as long as they operate. That “once in, always in” interpretation remained in place for over twenty years.

The Air Toxics Loophole finalized today would allow any major pollution source to reclassify itself as a smaller “area source” if it emits below the major source threshold – even if it is only emitting below the threshold because it is complying with MACT standards. EPA’s own analysis of its proposed rule that was issued in July of last year projected that 3,912 industrial facilities nationwide, such as refineries and chemical plants, could take advantage of this loophole to avoid MACT standards and instead become subject to weaker standards – or no standards at all. EDF evaluated information provided by EPA in that proposal on almost 1,600 of those facilities located in 48 states, and found the potential for an increase of over 49 million pounds per year in toxic air pollution.

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Environmental Defense Fund (edf.org), a leading international nonprofit organization, creates transformational solutions to the most serious environmental problems. EDF links science, economics, law and innovative private-sector partnerships. Connect with us on EDF Voices, Twitter and Facebook.

U.S. EPA removes requirement for curbing toxic air pollutants

<https://www.devdiscourse.com/article/science-environment/1235979-us-epa-removes-requirement-for-curbing-toxic-air-pollutants>

Reuters | Updated: 02-10-2020 01:27 IST | Created: 02-10-2020 01:27 IST

The Environmental Defense Fund indicated it would sue the EPA after the new rule is signed. The 1995 rule had resulted in the elimination of 1.7 million tons of hazardous air pollution over two decades, according to a 2017 EPA fact sheet.

The U.S. Environmental Protection Agency on Thursday reversed a Clinton administration-era policy that required major U.S. sources of hazardous air pollution like arsenic and lead to maintain pollution control technology throughout the lifetime of their operation, enabling them to meet less stringent standards.

The agency finalized its 2018 proposal to reverse the 1995 "once in, always in" policy, which locked in so-called maximum achievable control technology standards (MACT) for major pollution sources like industrial plants and refineries for the lifetime of those facilities, even after they reduced emissions. The EPA said the change will ease costs for companies without undermining air quality by holding their facilities to less stringent regulatory standards as soon as they have reduced pollution back below a certain limit.

"This action reduces regulatory burden and provides a level of fairness and flexibility for sources that reduce HAP emissions below major source thresholds," according to the final rule issued by the EPA. Environmental groups said the change creates a "loophole" for big industrial plants to pollute more, threatening low income communities that are often near such plants.

"The guidance was specifically designed to secure public protection from especially hazardous air pollutants - which in many cases are carcinogenic, or neurotoxic even in very small quantities - in keeping with the requirements of the Clean Air Act," the Sierra Club said in a statement. The Environmental Defense Fund indicated it would sue the EPA after the new rule is signed.

The 1995 rule had resulted in the elimination of 1.7 million tons of hazardous air pollution over two decades, according to a 2017 EPA fact sheet.

EPA Awards \$805,500 For Clean Diesel Projects In South Carolina

<http://www.publicnow.com/view/A041A8A7B271E0F0A6EDC2FFBD9B60EA9837862E?1601574456>
10/01/2020 | Press release | Distributed by Public on 10/01/2020 11:04

COLUMBIA (September 30, 2020) - Today, U.S. Environmental Protection (EPA) announced Berkeley-Charleston-Dorchester Council of Governments will be awarded an \$805,500 Diesel Emissions Reduction Act (DERA) grant to replace two transit buses with battery electric equivalents.

At a press conference in Minnesota on Tuesday, EPA Administrator Andrew Wheeler announced over \$73 million in grants and funding expected to be awarded to support numerous clean diesel programs and projects across the country at the state and local level. Over \$50 million in Diesel Emissions Reduction Act (DERA) National Grants Program funding is expected to be awarded to implement projects aimed at reducing diesel emissions from the nation's existing fleet of old, dirty engines and vehicles. Additionally, EPA anticipates providing approximately \$23.5 million under DERA's 2020 State Grants program to 48 states and four territories to implement their own diesel emissions reduction programs.

'EPA is proud to support our partners as they deliver cleaner air benefits to local communities across the country,' said EPA Administrator Andrew Wheeler. 'New diesel engines operate cleaner than older engines, and for each dollar invested in clean diesel projects, communities get \$13 in cumulative health benefits.'

'EPA is proud to recognize the efforts to improve air quality and protect public health,' said EPA Region 4 Administrator Mary S. Walker. 'Supporting clean diesel projects is one important way EPA helps make a visible difference in Florida communities.'

Under President Trump, the combined emission of criteria pollutants and their precursors dropped 7%. In the past three years, we saw the following drops in emissions of criteria and precursor pollutants:

Nitrogen Oxides (NOx) ↓ 10 %
Particulate Matter 2.5 (PM 2.5) ↓ 1 %
Sulfur Dioxide (SO2) ↓ 16%
Carbon monoxide (CO) ↓ 6%
Volatile Organic Compounds (VOC) ↓ 3%

Over the last three years during the Trump Administration, EPA will have awarded about \$300 million in grants and rebates to modernize the diesel fleet and speed the turnover to cleaner on- and off-road heavy-duty trucks and equipment. Much of this assistance has been provided to help better protect areas of poor air quality and areas of highly concentrated diesel pollution, such as ports and distribution centers.

To support the Administrator's clean air goals, the agency anticipates awarding these grants once all legal and administrative requirements are satisfied. So far in 2020, EPA has finalized awards for 41 clean diesel projects and programs.

The agency anticipates completing additional awards throughout the rest of the year. The following grants have been finalized as of Monday, September 28:

	Recipient	Project	Award Amount
FL	City of Ocala	Refuse Truck Replacement Project	\$777,000.00
FL	Miami-Dade County Department of Solid Waste Management	Refuse Truck Replacement Project	\$1,852,500.00
GA	Fulton County Schools	Propane School Bus Replacement Project	\$1,144,492.00
GA	Georgia Ports Authority	Dray Truck Rebate Replacement Program	\$1,100,000.00
NC	Mecklenburg County Air Quality	GRADE - Grants to Replace Aging Diesel Engines	\$500,000.00
SC	Berkeley-Charleston-Dorchester Council of Governments	Electric Transit Bus Replacement Project	\$805,500.00

As these new grants are finalized and awarded, details on recipients, funding amounts, and project types will be listed on the DERA program webpages. For more information, please visit <https://www.epa.gov/dera>.

Background

DERA funded projects typically include retrofitting or replacing legacy school buses, transit buses, heavy-duty diesel trucks, marine engines, locomotives, and other heavy-duty equipment with new, cleaner technologies.

EPA commends 3PL for its continued efforts toward a more sustainable freight industry

<https://www.globenewswire.com/news-release/2020/10/01/2102594/0/en/LinkEx-Named-2020-SmartWay-High-Performer.html>

October 01, 2020 16:26 ET | Source: Saia, Inc.

JOHNS CREEK, Ga., Oct. 01, 2020 (GLOBE NEWSWIRE) -- LinkEx, a Saia Inc. subsidiary, is excited to announce that it has been named a 2020 SmartWay High Performer. This is the fourth year the Environmental Protection Agency (EPA) has published the list, which seeks to recognize partnering companies that it says “lead the freight industry in producing more efficient and sustainable supply chain transportation solutions.”

“This year, LinkEx was just one of 11 logistics companies recognized by SmartWay,” said LinkEx Vice President and General Manager David Miller. “In fact, less than five percent of all SmartWay logistics companies meet the criteria set forth by the program so we are excited to be recognized. Reducing our environmental footprint is an important goal for both us and our customers.”

SmartWay is a voluntary program for companies, including freight shippers, carriers, logistics companies and other stakeholders, seeking to reduce their greenhouse gas emissions. They manage data for partner companies across all domestic shipping modes in the U.S. and Canada. SmartWay implements its goals to lower freight carbon footprints by conducting analysis and research of freight impacts, engaging with freight experts, anticipating and responding to trends, developing strategic resources and communication strategies, and serving as an international model.

Saia has been a SmartWay Partner since 2006 and remains committed to following sustainable businesses practices through the various 'green' programs and collaborations it has initiated over the years, including its partnership with SmartWay. In 2018, Saia was honored with the SmartWay Excellence Award.

“One of LinkEx’s core values is community,” stated Miller. “Among other things, this means we embrace our responsibility to the environment and our impact on it. While its good business, as the majority of consumers expect companies to act responsibly, it’s simply the right thing to do as climate change impacts us all.”

About LinkEx Inc.

LinkEx, a Saia, Inc. (NASDAQ: SAIA) company, is an asset-light, third party logistics corporation based in Dallas, Texas. Founded in 2002, the company offers a wide range of services including supply chain design, domestic and international transportation, warehousing and final mile services. LinkEx seeks to work closely with its customers to develop a thorough understanding of their logistics challenges and then utilizes technology and design capabilities to create unique supply chain solutions. For more information, visit www.linkex.us or call 1-866-289-9838.

For more information, contact:

Jeannie S. Jump Saia Corporate Communications

Phone: 770-232-4069 · E-mail jjump@saia.com

EPA to award up to \$73M for Clean Diesel Projects

<https://www.greencarcongress.com/2020/10/20201001-epa.html>

01 October 2020

The US Environmental Protection Agency (EPA) announced more than \$73 million in grants and funding expected to be awarded to support numerous clean diesel programs and projects across the country at the state and local level.

More than \$50 million in Diesel Emissions Reduction Act (DERA) National Grants Program funding is expected to be awarded to implement projects aimed at reducing diesel emissions from the nation’s existing fleet of old engines and vehicles. Additionally, EPA anticipates providing approximately \$23.5 million under DERA’s 2020 State Grants program to 48 states and four territories to implement their own diesel emissions reduction programs.

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CDC: Ethylene oxide may have more health effects than cancer

<https://www.medicaldesignandoutsourcing.com/cdc-ethylene-oxide-may-have-more-health-effects-than-cancer/>

October 1, 2020 By [Nancy Crotti](#)

The Centers for Disease Control and Prevention yesterday released a draft toxicity profile of [ethylene oxide](#) (EtO) that treats it as a more far-reaching health threat than the Environmental Protection Agency does.

The EPA and the federal Department of Health and Human Services both consider EtO a human carcinogen. The medical device industry relies on EtO to sterilize about 50% of all devices sold in the U.S. that require sterilization — more than 20 billion medical devices per year, according to the FDA.

Although most studies of EtO's health effects focus on cancer, the CDC's [Toxicological Profile for Ethylene Oxide](#) draft tackles other possible health effects of the gas that is used to sterilize millions of medical devices annually. The CDC's systematic review of non-cancer hazards includes presumed respiratory, neurotoxicity, genotoxicity, reproductive toxicity and developmental toxicity and suspected hematological and endocrine health effects. The agency relied on numerous animal and human studies of inhalation and oral consumption of EtO to reach its conclusions.

It also detailed the results of several studies linking EtO to cancer in humans, including breast cancer, leukemia, multiple myeloma, non-Hodgkin's lymphoma and lymphohematopoietic cancers. And it delved into the effects of the gas on children and other vulnerable populations, including those at risk of potentially high exposures to the gas.

Medical device sterilization and microbial reduction in spices accounted for 12% of EtO consumption in the U.S. in 2019, according to the American Chemistry Council. The rest was used in producing other chemicals, the CDC report said. Medtech sterilization accounted for 7.4 million lb of U.S. EtO consumption as of 2008, according to an EPA report.

The gas' properties are one reason it's been a popular medtech sterilant for decades. It works at low temperatures — between 90°F and 135°F — making it a viable option for devices made of multiple components and materials, including plastics, polymers, metals and glass, as well as coatings, bonds and packaging from damage. It can also penetrate different types of device packaging, enabling sterilizers to process truckloads' worth of devices simultaneously.

The CDC is accepting public comments on the draft toxicological report through December 29, 2020. Comments may be made [here](#).

EPA Lets Two Toxic Chemicals Fall Into Regulatory ‘Black Hole’

https://news.bloomberglaw.com/environment-and-energy/epa-lets-two-toxic-chemicals-fall-into-regulatory-black-hole?utm_source=rss&utm_medium=NEVE&utm_campaign=00000174-c6c4-d88a-adff-c7d668790001

By Pat Rizzuto

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The EPA has failed to regulate or review two fragrance ingredients considered to be among the most hazardous chemicals in production—and among those Congress directed the agency to address faster than any others.

The Environmental Protection Agency’s lack of action over the past four years, since Congress overhauled the Toxic Substances Control Act, has drawn the ire of outside observers and even a senator who led that overhaul effort. Sen. Tom Udall (D-N.M.) said the delay runs “afoul of the spirit and plain reading of the law.”

The 2016 TSCA amendments required the EPA to fast-track the process to regulate a set of high-hazard chemicals known as PBTs, because they persist in the environment, bioaccumulate—or build up in the food chain—and are toxic.

The fragrance ingredients were among those red-flagged. The more widely produced of the two—described by manufacturers as having a woody scent—is present in air fresheners, laundry detergent, fabric softeners, and personal care products, according to an EPA [database](#).

A chemical manufacturer in 2016 [requested](#) performing a risk evaluation of the ingredients. But the EPA has taken no public action to start regulating or evaluating the chemicals.

EPA Says Action in ‘Near Future’

The inexplicable delay “is bizarre,” said Steve Owens, an attorney who served as EPA’s assistant administrator for chemical safety and pollution prevention during the Obama administration.

“What’s really baffling is the agency’s lack of transparency,” said Owens, now a partner in the Phoenix and Washington, D.C. offices of Squire Patton Boggs LLP. Overall, “the TSCA program has done a very good job in terms of being transparent about what it’s doing.”

“This really stands out as an aberration from that,” Owens said. “It’s really a black hole.”

EPA spokeswoman Molly Block said the agency is working with a group of chemical manufacturers to develop a complete risk evaluation request, and expects to receive it “in the near future.”

TSCA doesn’t contain a deadline for the EPA to act. But the agency may have violated the Administrative Procedure Act by not following Congress’ order to act quickly, said Eve Gartner, an attorney for the nonprofit environmental law group Earthjustice.

“EPA’s many-year delay is leaving consumers exposed to chemicals that Congress considered the worst of the worst,” she said.

Limited Off-Ramps

Congress created a special section of TSCA, 6(h), creating the speedy regulatory process for certain PBTs and allowing only two off-ramps.

One is if the EPA found that people and wildlife had such limited exposure to a high-hazard chemical that it didn't need to be regulated. The other is if a manufacturer disagreed with a chemical's high-hazard designation and offered to pay the EPA to evaluate the chemical's risks.

Of the seven chemicals the EPA deemed as high-risk in 2016, four of them needed regulating while one lacked the exposure needed for regulation, the agency concluded. Final regulations controlling these other chemicals are on track to be released by the end of this year, Alexandra Dapolito Dunn, EPA's assistant administrator for chemical safety and pollution prevention, recently told Bloomberg Law.

International Flavors & Fragrances Inc., a fragrance manufacturer, disputed the high-hazard label for the remaining two chemicals and offered to pay for the risk evaluation in 2016. The company declined to comment when reached by Bloomberg Law.

EPA Discretion

Once the EPA gets a complete risk evaluation request from manufacturers, it will follow the procedures its rule describes for such requests, Block said. That includes allowing the public to comment on the agency's plans to evaluate the chemicals, she said.

Mark N. Duvall, a principal attorney leading Beveridge and Diamond PC's chemicals group, said the delay makes sense. TSCA gives the EPA discretion on when it initiates manufacturer-requested risk evaluations, he said.

"Given EPA's current workload and resources, delays are understandable," Duvall said.

Some delay in the EPA's process was reasonable, Owens acknowledged. The TSCA amendments required companies to request a risk analysis in the fall of 2016, before the EPA issued rules laying out its risk evaluation procedures and the fees chemical manufacturers would pay when asking for their chemical to be examined.

But if lawmakers knew the EPA would take no action four years after a company raised its hand, offering to pay to evaluate a high-hazard chemicals, "I believe there would have been some pretty significant concern," Owens said.

Senator Says Regulation 'Overdue'

One lawmaker, Udall of New Mexico, said the agency "has run afoul of the spirit and plain reading of the law that was forged to reform TSCA in an overwhelmingly bipartisan manner in 2016."

Udall teamed up with then-Sen. David Vitter (R-La.) to secure passage of the Lautenberg Chemical Safety for the 21st Century Act that overhauled the chemicals law.

Though Congress made PBTs a priority, the EPA and industry have dragged their feet to keep these dangerous chemicals on the market and avoid a risk evaluation, Udall said by email.

"It's long overdue for EPA to have added the two chemicals to its proposed expedited action rule, or to have proposed an additional rule covering the two chemicals," he said.

Robert M. Sussman, an attorney with Sussman and Associates, which represents an environmental health coalition called Safer Chemicals Healthy Families, said the EPA has allowed the two fragrance ingredients to fall into a regulatory void.

“This is a serious violation of the law for chemicals that present serious health and environmental concerns because of their PBT properties,” he said.

Indefinite Delay?

One of the two fragrance ingredients, an ethanone identified on business documents as Chemical Abstract Service (CAS) No. 54464-59-4, is produced at such low volumes it might not have warranted regulation, Gartner, from Earthjustice, said.

But companies in 2015 made or imported between 10 million and up to 50 million pounds of the other chemical, an ethanone CAS No. 54464-57-2, according to the EPA.

“I don’t think Congress would have allowed to EPA to take some PBTs and defer regulation indefinitely,” Gartner said.

Asked whether her organization or another interested group would file a lawsuit challenging the lack of action on these two chemicals, Gartner replied: “I hope so.”

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Chlorpyrifos Regulatory Actions Closely Watched By Litigators

<https://www.natlawreview.com/article/chlorpyrifos-regulatory-actions-closely-watched-litigators>

ARTICLE BY

[Clifford V. Pascarella II](#)

Thursday, October 1, 2020

Chlorpyrifos is an insecticide that has been used since 1965 to protect crop fields (e.g., corn, soybeans, fruit trees) and used to protect golf courses and greenhouses. Chlorpyrifos insecticide products are sold as liquids, granules, powders. The EPA recommends that workers using a chlorpyrifos product wear coveralls, gloves, and a respirator to protect themselves, and restrict entry into treated areas for up to five days. Chlorpyrifos is not as well-known as the herbicide glyphosate. For now, there has not been a bellwether verdict against a chlorpyrifos manufacturer like there has been against a glyphosate manufacturer. However, the glyphosate verdict came after the World Health Organization (WHO) classified glyphosate (Group 2A), and it is currently evaluating chlorpyrifos. While chlorpyrifos has been beneficial to farmers and other agricultural users to protect their crops and grounds from insects and other pests, it is a neurotoxin that can also cause nausea, dizziness, confusion, respiratory paralysis and death, and research has found exposure risks to unborn children. In addition, chlorpyrifos went largely unregulated for decades as a popular agricultural and home product. Chlorpyrifos shows all of the signs of being the next high-profile toxic tort litigation involving an agricultural product.

The EPA did not begin to regulate the use of chlorpyrifos until 2000, when manufactures voluntarily agreed to stop marketing it for most in-home uses. Between 2000 and 2016, the EPA decreased spray-uses and instituted “buffer zones” around areas where chlorpyrifos was used. In 2016, EPA released an updated risk assessment that included studies on exposures through food, water, and inhalation as well as studies on infants, children, and women of child-bearing age. However, the EPA resisted calls for an outright ban on chlorpyrifos. A court battle ensued between 2017 and 2019 to try to force the EPA to ban chlorpyrifos; however, the Ninth Circuit Court of Appeals ultimately vacated an earlier ruling that would have required EPA to completely ban chlorpyrifos. In response to the lawsuit against the EPA, some states (California, New York, and Hawaii) have

simply taken it upon themselves to ban chlorpyrifos after unsuccessfully suing EPA to implement a full federal ban on chlorpyrifos.

In September 2020, the EPA released a draft Ecological Risk assessment and Revised Human Health Risk Assessment for chlorpyrifos. This risk assessment walks back many of the findings that were in the EPA's 2016 risk assessment. The EPA no longer relies on certain studies that show health hazards associated with chlorpyrifos due to the lack of having researchers' raw data, which in one instance the raw data was withheld by researchers due to concerns over disclosing potential confidential identifying information. Furthermore, the EPA is now relying upon a study commissioned by a major manufacturer of chlorpyrifos that shows that there are health hazards to pregnant women and unborn children but only in very specific circumstances.

Legitimate questions persist given that the EPA seemingly reversed its stance on regulating chlorpyrifos. For instance, did EPA's reversal regarding chlorpyrifos inadvertently impugn its own reasoning that glyphosate poses no hazard? In addition, how will the WHO classify chlorpyrifos after it completes its evaluation of it in drinking water? Who would be exposed to litigation from such a decision by the WHO? Notwithstanding, the EPA is still a long way from publishing a final assessment (it has a statutory deadline of October 1, 2022), which means there will be many more comment periods and a presidential election prior to the release of the final assessment. Nevertheless, those who closely follow the glyphosate litigation are now turning their attention to the regulatory bodies' actions with respect to chlorpyrifos, especially plaintiffs' counsel.

Looming November 30, 2020 EPA Submission Deadline for Chemical Data Reporting Requires Attention Now

<https://www.natlawreview.com/article/looming-november-30-2020-epa-submission-deadline-chemical-data-reporting-requires>

ARTICLE BY

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1 Oct 2020

Companies required to report under the Toxic Substances Control Act's (TSCA) Chemical Data Reporting (CDR) regulations need to consider and address new Environmental Protection Agency (EPA) provisions governing reporting of chemical data.

CDR regulations generally require that chemical manufacturers and processors (including importers) report a wide range of chemical production data to EPA every four years. In March 2020, EPA finalized certain amendments to the CDR regulations, which implemented key changes in how this data is reported to EPA. EPA extended the reporting deadline to November 30, 2020, to give companies more time to make submissions under CDR after the agency announced key changes to the CDR regulations. Some of the key changes include: confidential business information (CBI); processing and use codes; byproduct reporting; foreign parent reporting; and small manufacturer/government definitions. These changes require attention now to timely and accurately report chemical information to EPA.

CBI Substantiation

EPA's amendments confirm that information and data submitted under the CDR may be claimed as CBI in order to ensure confidential information is not released to the public. EPA is requiring upfront substantiation for CBI claims. This change places a higher burden on companies claiming CBI to articulate the harmful effects to its competitive position if such information were to be disclosed publicly. EPA also identified certain data elements that cannot be claimed as CBI.

Processing and Use Codes

EPA also changed certain processing and use codes used for reporting information under the CDR in order to conform with product and use codes used by the Organization for Economic Cooperation and Development (OECD). The shift to OECD-based codes will be primarily voluntary for most substances for the 2020 submission period (except for high priority TSCA substances), but use of OECD-based codes will be mandatory for all substances for the 2024 submission period.

Byproduct Reporting

EPA added two additional exemptions for byproducts that do not need reporting under CDR. First, byproducts recycled in a site-limited enclosed system are exempt from reporting (Portland Cement Manufacturing and Kraft Pulp Process). Second, byproducts manufactured as part of non-integral pollution control and boiler equipment need not be reported under the CDR.

Foreign Parent Reporting

EPA changed site identification reporting requirements to include the highest-level foreign parent company, if applicable. Sites are still required to report the highest-level U.S. parent company, but if the ultimate parent company is outside of the U.S., the highest-level foreign parent company must be identified.

Small Manufacturer/Government Definitions

EPA changed the definition of a “small manufacturer” in the CDR. EPA also added a definition for “small government.” Manufacturers meeting either of these definitions have no or reduced reporting obligations under the CDR.

PFAS — What You Need to Know in Transactions

<https://www.natlawreview.com/article/pfas-what-you-need-to-know-transactions>

ARTICLE BY

[Andrew C. Cooper](#)

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Thursday, October 1, 2020

Adding to the long list of ills to consider in 2020, the Environmental Protection Agency (EPA) has issued an Action Plan and a preliminary determination to regulate PFOA and PFOS. These “Forever Chemicals” are a group of man-made chemicals that tend to persist in our bodies and in the environment over time. Used since the 1940s for their ability to effectively repel oil and water, they are commonly found in everyday items such as non-stick coating on pots and pans, stain and water repellents, food packaging, and firefighting foam. Evidence indicates that exposure to PFAS can lead to adverse health effects in humans, and PFOA and PFOS have been found to be specifically impactful to humans.

The prevalence of PFAS contamination means that it now plays an active role in the environmental aspect of property transactions. Ignoring the impacts of PFAS could lead to costly remediation or even litigation, depending upon the nature of the impact. As such, our team has compiled a list of considerations before closing a transaction that includes a potentially PFOA- or PFOS-contaminated property:

Additional testing may soon be required during Phase II Investigations

In late 2019, the EPA announced that it had developed a way to test for 29 PFAS chemicals in drinking water. The EPA plans to propose nationwide drinking water monitoring for PFAS under the next UCMR monitoring cycle.

The agency is also validating analytical methods for surface water, ground water, wastewater, soils, sediments and biosolids; developing new methods to test for PFAS in air and emissions; and improving laboratory methods to discover unknown PFAS.

The EPA is allocating a significant amount of time and money to develop new methods of testing for PFAS. This will likely mean that Phase II investigations may soon require investigations into any PFAS on site. These additional tests could increase the price for conducting a Phase II investigation and will place a greater importance on selection of counsel and consultants, as knowledge in this emerging science could be vital to the success of your project.

Now is the time to provide input regarding PFAS regulations

The EPA is in the process of developing regulations that would list PFOA and PFOS as hazardous substances under CERCLA.

The EPA has issued an advanced notice of proposed rulemaking that would allow the public to provide input on adding PFAS to the Toxics Release Inventory—a list of toxic chemicals subject to certain regulations.

A supplemental proposal is currently under interagency review at the Office of Management and Budget aimed at ensuring that certain persistent long-chain PFAS chemicals cannot be manufactured in or imported into the United States without notification and review under TSCA.

The EPA is also gathering and evaluating information to determine if regulation is appropriate for other chemicals in the PFAS family.

These regulations are all being formed and negotiated now under procedures designed to allow interested parties to provide insight on the effects of these regulations, whether positive or negative. If your business could be impacted by these changes, now is the time to have a hand in shaping these regulations.

Pending PFAS regulations may require a second look at contractual agreements and insurance policies.

The future is uncertain regarding PFAS regulations and how they may be implemented. Having advance notice of potential PFAS regulations provides an opportunity to plan ahead.

Prior contractual agreements defining “regulated substances” could be impacted any time EPA decides to regulate a new substance. Additionally, environmental insurance policies now in effect may or may not have contemplated the regulation of PFAS at the time they were put into place.

Early notice of potential regulation of PFAS can provide an opportunity to review contractual agreements and environmental insurance policies to ensure that your business is not unprepared if new regulations do go into effect. Getting ahead of the curve with these pending regulations could help you avoid delays and save money in the future.

We are only beginning to understand the way that PFAS impacts our environment, but we do know that regulations regarding PFAS will continue to evolve and will likely become more of a hurdle for those whose business involves real property.

Pilot Chemical Adds EPA Emerging Viral Pathogen Claim to 8 Products

https://www.coatingsworld.com/contents/view_breaking-news/2020-10-02/pilot-chemical-adds-epa-emerging-viral-pathogen-claim-to-8-products/

Coatings World staff

10.02.20

Pilot Chemical Corp. announced that, through its subsidiary Mason Chemical Company, it has received EPA acceptance to add an emerging viral pathogen claim to the labels of eight products from the company’s EPA-registered quaternary ammonium compound and active ingredient line, under its Maquat and Maguard brands.

Emerging viral pathogens are defined by the National Institute of Allergy and Infectious Diseases as pathogens “that have newly appeared in a population or have existed but are rapidly increasing in incidence or geographic range.”

In the case of SARS-CoV-2, the product must have the emerging viral pathogen language on the label and be effective against a harder-to-kill virus than SARS-CoV-2.

“Meeting the EPA’s criteria for effectiveness against emerging viral pathogens enables our customers to make off- label claims that their products can fight the virus that causes COVID-19 and future threats that may emerge,” said Richard Rehg, VP of Commercial, Pilot Chemical Company. “Our team has been working hard to bring this to fruition and help our customers offer effective formulated products to meet rapidly changing market needs.”

This represents the first group of Pilot products submitted for emerging viral pathogen claims, with plans for additional future submittals.

MAQUAT 710-M	10324-117	Quaternary ammonium
MAQUAT 256-NHQ	10324-141	Quaternary ammonium
MAQUAT 64-NHQ	10324-154	Quaternary ammonium
MAQUAT 128-NHQ	10324-155	Quaternary ammonium
MAQUAT 32-NHQ	10324-157	Quaternary ammonium
MAQUAT 7.5-M	10324-81	Quaternary ammonium
MAQUAT 86-M	10324-85	Quaternary ammonium
MAGUARD 5626	10324-214	Peracetic Acid

Trump's EPA Touts Revisions To Lead Regulations, With Final Rule Just Weeks Away

<https://www.wpr.org/trumps-epa-touts-revisions-lead-regulations-final-rule-just-weeks-away>

By Danielle Kaeding

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Critics Say Revisions To Lead And Copper Rule Don't Go Far Enough

A proposed overhaul of the U.S. Environmental Protection Agency's lead and copper rule could become finalized within weeks, although critics say it doesn't go far enough to keep lead out of drinking water.

U.S. Environmental Protection Agency Administrator Andrew Wheeler touted the proposed changes, and the Trump administration's record on the environment, in Michigan on Wednesday. The EPA administrator was there in part to announce \$95 million to help with upgrades to the state's water infrastructure, which became a focal point for the nation's lead issues following the Flint water crisis in 2014.

The existing lead and copper rule has been in place since 1991 to keep drinking water safe from lead, which is harmful to the nervous system and linked to developmental issues in children. The proposed revisions would require water sampling at schools and day care centers, and require water systems to map all their lead service lines.

"This way, we're ensuring the worst contaminated pipes aren't the last miles replaced, because it goes without saying that everyone, regardless of their zip code, deserves the safe drinking water," said Wheeler.

Yet, Wheeler acknowledged there's no timeframe for completing that inventory, noting some states and cities may be further along than others.

Wisconsin water utilities have already identified more than 176,000 lead service lines that are publicly owned, along with more than 148,000 private lead lines.

The proposed revisions to the lead and copper rule don't go far enough to address lead in drinking water, according to Carly Michiels, government affairs director for Clean Wisconsin.

"We know that there is no safe level of lead in drinking water, yet they're allowing it to go up to 15 parts per billion, which is just unacceptable," said Michiels.

That threshold marks the existing action level at which water systems are currently required to take action to minimize lead levels. The new rule would also set a warning level of 10 part per billion for water systems, which would trigger them to study corrosion or require them to optimize their water treatment. The environmental group said in comments to the EPA that threshold is too high.

Wheeler and President Donald Trump have boasted about the administration's work on air and water pollution over the last four years, even as the agency has worked to roll back 100 environmental regulations. Trump claimed in Tuesday night's presidential debate against Democratic challenger and former vice president Joe Biden that he wants "crystal clean water and air," adding that he hasn't destroyed business in pursuit of that goal.

Michiels said the administration's narrative doesn't add up with their actions, noting the rule doesn't follow expert recommendations to replace lead service lines.

"We need to incentivize proactive lead service line replacement," said Michiels.

A report released last year gave the state a failing grade for not preventing lead in school drinking water. Nearly 4,000 children in Wisconsin had elevated blood lead levels in 2018, according to the Wisconsin Department of Health Services. The most common source of lead poisoning is lead-based paint.

Gov. Tony Evers proposed borrowing \$40 million to replace lead lines under the current budget. The proposal drew criticism from Republican lawmakers, who said it would be too expensive. GOP lawmakers backed local efforts to address issues or install water filtration systems, as well as legislation that allowed utilities to provide financial assistance to customers to replace water lines.

Madison was the first major utility in the nation to replace around 8,000 known public and private lead service lines, according to Wisconsin Watch. The removal of lines cost roughly \$19 million and took nearly a decade to complete.

Milwaukee has more than 70,000 lead service lines that need to be replaced, which could cost the city up to \$756 million. Milwaukee Water Works Superintendent Karen Dettmer told WPR's "The Morning Show" that funding is the main issue with addressing lead lines.

"The more funding that we can get toward lead service line replacements from the federal and state level, the faster we can plan to have these lead service lines replaced," said Dettmer.

The Wisconsin Department of Natural Resources receives funding from the EPA to offer financial assistance to communities through its Safe Drinking Water Loan Program. The agency is also providing around \$63 million to communities for private lead service line replacements.

Wisconsin utilities are further along in identifying lines that need to be replaced, according to Denise Schmidt, administrator of the water utility regulation and analysis division for the Public Service Commission. The commission began requiring utilities to track customers' lead service lines several years ago.

"Our utilities have been working sooner at developing these inventories," said Schmidt. "It's hard work."

The American Water Works Association supports the rule's requirements for utilities to develop inventories, but it opposes revisions that would require them to test for lead in drinking water at schools and daycare centers. Angel Gebeau acknowledged that mapping lead lines is easier said than done. The chair of the Wisconsin section of the national association noted some homeowners don't want to know if lead lines exist because they fear it will reduce the value of their home, declining both sampling and inspections.

Nancy Quirk, general manager of the Green Bay Water Utility, said they had to work harder with some property owners to get their lead service lines replaced. But, she said they've replaced all but one of the 1,780 lead lines owned by the utility and 247 lead lines owned by customers. The utility spent about \$6 million and accessed around \$1 million from the state's Safe Drinking Water Loan Program to pay for the replacements.

Quirk thinks rule revisions requiring mapping of lead lines is important for utilities to understand what they're facing.

"I think, in bigger utilities, you just got to start. It's going to take a while to find all the information," said Quirk.

The lead and copper rule revisions would also give utilities even more time — about another 20 years — to replace lead service lines once they've been identified, which critics say exposes another generation of children to contaminated drinking water.

"You can't wait until kids are poisoned to replace the lead line," said Michiels.

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At One of America's Most Toxic Superfund Sites, Climate Change Imperils More Than Cleanup

<https://insideclimatenews.org/news/29092020/superfund-climate-change-newark-new-jersey-epa-diamond-alkali>

BY ERIK ORTIZ, NBC NEWS

OCT 1, 2020

NEWARK, N.J.—In the bewildering days after Superstorm Sandy roiled the Eastern seaboard in October 2012, shredding coastal communities with hurricane-force winds and once-in-a-generation flooding, Ana Baptista ventured into the Ironbound, an industrial neighborhood of Newark.

Baptista, a community advocate, brought cleanup supplies for residents of the mainly immigrant enclave of New Jersey's largest city, assisting them in a blend of English, Spanish and Portuguese. She found backed-up sewers and homes soaked in brackish water from the nearby Passaic River that had reached first-floor windows. One woman was aghast to discover an oil slick and dead fish sloshing in her basement, bobbing along the scummy surface of the floodwaters like a toxic soup.

"It smelled like poop and chemicals. It was disgusting," recalled Baptista, an Ironbound native and a former director of environmental justice and planning at the Ironbound Community Corp., a local nonprofit.

The devastation from the storm was an eye-opener in a way that still worries Baptista and many in the Ironbound today: Nearly eight years later, people continue to fear the long-term health consequences of the water and muck that swept into their homes.

That's because crammed among the Ironbound's 55,000 residents, who live mostly in apartment buildings and multifamily housing, are factories and warehouses, a power plant, chemical refineries, the state's largest garbage incinerator and a Superfund site so contaminated with hazardous waste that the federal Environmental Protection Agency is authorized to investigate and force polluters to clean up.

New Jersey has 114 Superfund sites, the most in the nation, and Newark is home to four of them. The one in the Ironbound, a former chemical plant where cleanup is priced at \$1.4 billion, is especially problematic: It's one of nine in the state, and 74 nationwide, that not only are vulnerable to the effects of climate change but contain uncontrolled toxic wastes that could damage human health, an investigation by InsideClimate News, the Texas Observer and NBC News found.

The reporting on the Superfund program uncovered hundreds of sites across the country, including the one in the Ironbound, that have already been hit by severe storms, raising environmental advocates' fears of what could happen as sea levels rise and hurricanes worsen. Yet the investigation found that the Trump administration has largely abandoned plans written by all 10 EPA regional offices that factored climate change risks into Superfund planning and remediation.

And even at sites like the Ironbound, where Obama-era cleanup plans remain on the books, the work is slow—often taking decades—and the preparations have not kept up with rapidly advancing scientific knowledge about the threats posed by climate change, environmental advocates and experts say.

"It is critical that contamination be properly cleaned up," said Ashaki Rouff, an associate professor of earth and environmental sciences at Rutgers University-Newark, adding that climate change and extreme weather events can pose a high risk of "stirring up" the toxins.

The planned remediation of the Ironbound site grows more urgent by the day, community members say. It is one of the largest and most expensive cleanup projects in the Superfund program's four-decade history, covering a former Diamond Alkali chemical plant, the lower Passaic River and Newark Bay. And there's still no target date to complete the cleanup.

For many residents of Newark, its concentration of Superfund sites underscores two New Jerseys: one of tree-shaded suburbs where wealth and political leverage guard communities from outside corporate interests and rampant pollution, and the other, of lower-income and predominantly Black and brown residents who have endured decades of discriminatory housing policies only to find their communities squeezed by heavy industry and used as dumping grounds for hazardous waste.

The disparity is frustrating for Ironbound activist Arnold Cohen, 72, who organized marches in the early 1980s demanding state and federal investigations into the toxic waste at the site that revealed dioxin contamination obscured from the public for decades. The dioxin, and other cancer-causing chemicals, had been discharged into the Passaic River.

Among the demonstrators were children, including a young Baptista—emblematic of how the same fight continues for yet another generation, Cohen said.

"Sometimes people forget about things or say, 'We just have to live with this.' Or they throw up their hands and ask, 'Why are we wasting our time?'" Cohen added. "It feels like we've been forgotten. But some of us won't let that happen."

A 'Crime Scene'

Environmental advocates say the stakes are high to clean up the Superfund site in the Ironbound, the most densely populated neighborhood in Newark. According to the EPA, the Passaic River's waters are coated with toxic contaminants, including thousands of pounds of mercury, PCBs and other heavy metals that have embedded in the sediment—a reminder of the city's legacy as a commercial hub producing leather, beer and paint.

Those same advocates believe Newark, a majority-Black city, and places like it deserve increased attention from federal and state governments that have historically ignored appeals from communities of color for cleaner air and water, and limits to industrial pollution.

During the 1950s and '60s, Diamond Alkali produced Agent Orange, an herbicide used by the U.S. military in the Vietnam War to destroy dense vegetation. About every other week, the factory dumped dioxin, a chemical byproduct, into trenches that flowed into the Passaic, according to court documents filed in 1992 by Diamond Shamrock, Diamond Alkali's successor, in a New Jersey Superior Court case against dozens of its insurance companies. Trucks rolling in and out of the nearly 6-acre parcel also tracked dioxin through the neighborhood.

In 1983—14 years after the plant closed—the community compelled state and federal investigators to order samples from the site, the surrounding streets and the river. The testing uncovered alarming levels of dioxin, a carcinogen linked to reproductive and developmental problems in humans. According to the state, soil samples at the site showed concentrations of up to 51,000 parts per billion, and off-site, up to 15 parts per billion. In 1984, the Centers for Disease Control and Prevention established just 1 part per billion in soil as a "level of concern" in residential areas.

Today many longtime residents can recall stories of people playing in and around the Diamond Alkali site before it was capped, or eating food grown in soil potentially tainted by chemicals like dioxin. Nonetheless, there are few studies looking at long-term health effects, birth defects and cancer, environmental advocates say.

In 1984, the EPA placed the former Diamond Alkali plant on its Superfund National Priorities List, among hundreds of the worst hazardous waste sites in the nation requiring substantial and costly cleanup. The factory was demolished and buried, and the poisoned property was capped two decades ago with concrete and gravel. But an approximately 17-mile, serpentine stretch of the Passaic, winding around suburban communities outside

of New York City and feeding into Newark Bay, remains so tainted by dioxin and other chemicals that people are fined up to \$3,000 if they're caught crabbing.

The EPA wants that portion of the river cleaned up, saying that the contaminated sediment "poses a significant threat to people's health and the health of wildlife," with the primary risk coming from consuming fish and shellfish from the river.

Last year, Sen. Cory Booker (D-N.J.), a former Newark mayor, lamented how corporate greed had turned the natural resource into "New Jersey's biggest crime scene."

The former Diamond Alkali company is largely responsible for the contamination that fouled the property and the adjacent river, according to the EPA. The company later changed its name to Diamond Shamrock and then became Maxus Energy Corp. of Texas, which filed for bankruptcy in 2016 after it was acquired by YPF S.A., Argentina's state-owned oil company. New Jersey lawmakers have since accused YPF of trying to get out of paying its share of the cleanup.

The company did not return requests seeking comment, but Maxus suggested in a 2008 counterclaim in New Jersey Superior Court against the state over cleanup costs that it was a "scapegoat" and that the river was polluted by manufacturers and municipalities long before Diamond Alkali and its predecessors began operations in the 1940s.

Meanwhile, dozens of other businesses and entities, including Fortune 500 companies, that are potentially culpable in polluting the river or that had inherited the liability, would be expected to pay for the river's remediation, according to the EPA.

Following Sandy, one of the most destructive storms in modern U.S. history, Baptista said she was hoping the state and the EPA would respond quickly and test the water in the Ironbound, to allay people's fears. The EPA eventually tested a handful of homes weeks later, she said, but by then, most of the water had receded or been purged from properties. The EPA at the time said there was no immediate hazard connected with the Superfund site, and statewide research that examined the effect of Sandy on people's health didn't focus on Newark.

Baptista, now an assistant professor at The New School in New York City focusing on environmental policy and climate justice, remains skeptical.

"They did not find high levels of dioxin," she said, "but we don't know how much people were exposed to."

A River's Rebirth?

Former EPA officials worry that the needs of cities like Newark will be forgotten as the agency deprioritizes environmental justice issues. The agency has proposed the elimination of an Obama-era program that aided low-income communities and communities of color harmed by Superfund sites from its fiscal 2021 budget.

Communities saddled with "the worst kinds of sites don't have the same muscle to fight for themselves," said former New Jersey Gov. Christine Todd Whitman, a Republican who served as EPA administrator from 2001 to 2003.

Still, cleanup of the Superfund site in the Ironbound and the Passaic River remains one of the most elaborate in the nation.

It took almost two decades after the site was placed on the Superfund National Priorities List in the early 1980s for the former Diamond Alkali factory to be razed and covered in concrete in 2001. In 2012, the EPA completed another cleanup phase, removing about 40,000 cubic yards of highly contaminated sediment in the Passaic River immediately around the shuttered property. In 2016, the agency issued a formal plan to remediate and cap

the lower portion of the Passaic River, an 8-mile zone that includes a broader area around the Diamond Alkali site.

The plan involves dredging another 3.5 million cubic yards of sediment—enough to fill MetLife Stadium one-and-a-half times—and shipping the waste by rail to a disposal site outside of New Jersey. The remaining sediment would then be capped with a 2-foot-thick layer of sand from bank to bank.

The idea is to prevent an intense storm from kicking up the contaminated sludge, which locals liken to "black mayonnaise."

The cap's design takes climate change and sea level rise into account, said Stephen McBay, a spokesman for the EPA's Region 2 office, which includes New York and New Jersey. Computer modeling uses "conservative assumptions" to guide how thick the cap should be and how much dredging should occur before its installation so that it "does not increase flooding potential in the future," he added.

But even when the plan was released under the Obama administration, it drew public concerns that the models did not sufficiently account for climate-related sea level rise. The agency at the time said there remains a "large range of uncertainty" in how sea level rise will look on the local and regional levels.

The cleanup hasn't yet begun. The EPA said the design phase won't be completed until possibly 2022, and then it would take several more years for the work to be finished.

The agency is "progressing on an aggressive timeline," McBay said in an email.

Even then, necessary remediation of another 9 miles of the Passaic River under the EPA's plan would still need to occur, although when that would start is unclear.

Jeff Tittel, director of the New Jersey Sierra Club, an environmental nonprofit, said more could have been done during President Barack Obama's second term to address the effect of climate change on Superfund sites, particularly in New Jersey, and he believes it was a missed opportunity that the Trump administration has failed to seize on.

Tittel said he worries that the EPA is removing sites from the Superfund list without fully considering acute weather events and rising sea levels in the cleanup plans.

"With Superfund sites and climate change, we're playing Russian roulette with a loaded gun," Tittel said of a potential disaster. "It's a matter of when, not a matter of if."

A Price Unpaid

Polluters are expected under the Superfund enforcement program to pay for the cleanup, and companies have ponied up billions of dollars toward the effort nationwide.

But in Newark, the process is complicated: The EPA identified more than 100 companies liable for the toxic waste that seeped into the Passaic and must negotiate with either them or the entities that absorbed them.

While one company—another corporate successor to Diamond Alkali, known as Occidental Chemical Corp. of Texas, part of Occidental Petroleum, one of the largest U.S. oil and gas companies—agreed in a [2016 settlement](#) to pay \$165 million for the remediation design phase, the EPA must still secure money from dozens of other companies that have evaded accountability for decades and left the project to stall.

If the companies don't foot the bill, taxpayers may have to pay.

The EPA said that "complex negotiations" are tying up the timeline.

Communities across the country are suffering under these protracted legal battles, which only obstruct long-awaited cleanup, said former New Jersey Gov. Jim Florio, a Democrat who spearheaded the Superfund law while in Congress in 1980.

Business groups and attorneys for companies say corporations can be railroaded into paying and argue that many Superfund sites are actually former municipal landfills, so there should be a shared burden between public and private entities.

Florio, now an environmental lawyer, has supported efforts by Democratic lawmakers in Congress to reinstate a tax on the oil and chemical industries to help pay for cleanup at sites where the polluters were unknown or unable to complete remediation work. The tax expired in 1995 under a Republican-controlled Congress.

Most recently, Booker reintroduced a bill to reinstate the tax in the Senate in January after Democratic Reps. Frank Pallone Jr. and Bill Pascrell of New Jersey did so in the House last fall. But so far, the bills have languished.

Neither the White House nor the EPA have said directly whether they would support reinstating the Superfund tax.

Florio said his expectations are limited for an administration that favors deregulatory efforts and a president who "doesn't even acknowledge climate change as being real."

"We seem to find money for things like a border wall, but where's the money for cleaning up problems in Newark, New Jersey?" Florio said. "It's a matter of priorities."

A 'Moment of Reckoning'

Newark—with its vacant lots, brick tenements and a rooftop sign on the Anheuser-Busch brewery, bright like a neon North Star—welcomed Melissa Miles, a native of New York City, more than a decade ago.

She settled in the Ironbound, across from a plastics factory and the view of smoke wafting from its vents. She got used to the acrid smell and the sound of belching trucks that felt like white noise. But in 2013, a year after her oldest son was born, he was diagnosed with asthma and rushed to the emergency room.

"That's when it became personal," Miles said. "I was absolutely shocked. No one in my family had asthma."

According to the EPA, about 1 in 4 children in Newark has asthma, a condition that makes breathing difficult and, in rare instances, can lead to death. The city's asthma rate is three times the national average.

Newark residents face other health problems potentially related to long-term pollution, including higher rates of lead poisoning in children and chronic diseases, such as diabetes and hypertension, studies have shown.

Miles said her two children were diagnosed with attention deficit hyperactivity disorder, but trying to determine whether environmental factors may have affected their health is impossible.

Miles became interested in environmental justice while working with the Ironbound Community Corp. In July, she was named the executive director of the New Jersey Environmental Justice Alliance, a statewide organization that focuses on environmental issues involving low-income residents and communities of color.

The group helped get a landmark environmental justice bill passed in the state Legislature in August that will require companies to hold public hearings and gain state environmental approval if they are heavily affecting

the environment or looking to build, expand or renew permits in low-income communities. Gov. Phil Murphy, a Democrat, held a bill-signing ceremony in September at an Ironbound park, waving off critics of the law who believe it will drive away new business.

Miles calls it a "moment of reckoning" for New Jersey, signifying that after decades of unhampered pollution in cities like Newark and a systemic failure to clean up toxic Superfund sites, residents now have a way of safeguarding their communities.

Baptista agrees that such protection can help prevent more pollution. But the damage remains for sites like the Passaic in Newark, where people worry about their health—particularly in the event of another mega storm and in the face of an ever-warming planet.

"What will happen when the next big flood comes?" Baptista asked.

Visiting the riverbank on a recent sunny morning after the environmental justice bill passed gave her hope that one day future generations will know the waterfront not as "the danger zone," as she did growing up, but as the place that the people of the Ironbound never forgot.

Erik Ortiz is a staff writer for NBC News focusing on racial justice and social inequality.

EPA finalizes rule allowing some major polluters to follow weaker emissions standards

<https://thehill.com/policy/energy-environment/519181-epa-finalizes-rule-allowing-some-major-polluters-to-follow-weaker>

BY [REBECCA BEITSCH](#) AND [RACHEL FRAZIN](#) - 10/01/20 02:53 PM EDT

The Environmental Protection Agency (EPA) on Thursday finalized a rule that could reclassify many “major” sources of pollution as minor ones, allowing facilities to abide by less-stringent emissions standards for dangerous substances such as mercury, lead and arsenic.

The reclassification changes a 1995 rule that for decades has held major emitters to tighter standards even if their operators have taken actions to reduce their pollution — a policy known as “once in, always in.”

When it first proposed the rule, the EPA estimated that about 3,900 emitters could be reclassified and subjected to weaker standards than before.

John Walke, a senior attorney with the Natural Resources Defense Council, said the rule would allow corporations to emit more of “some of the most potent carcinogens and neurotoxins” they’ve successfully reduced.

“It’s especially outrageous because it’s 100 percent gratuitous: these are plants that have been complying with 95 to 98 percent reduction obligations, with already-installed [pollution] controls, for decades. It’s the triumph of extreme ideology over public health, common sense and the law,” he said.

The rule allows major sources to become reclassified if they now meet the hazardous air pollutants guidelines in place for the smaller “area” polluters — producing 10 tons per year or less of a single toxin, or 25 tons a year for facilities that emit multiple toxins.

The EPA argues that the current policy reduces incentives for facilities to limit their air pollution while rescinding it encourages them to do so.

“Today’s action is an important step to further President Trump’s regulatory reform agenda by providing meaningful incentives for investment that prevents hazardous air pollution,” said EPA Administrator Andrew Wheeler in a statement, adding that the rule “will end regulatory interpretations that discourage facilities from investing in better emissions technology.”

But critics say facilities that have been ordered to reduce pollution anywhere from 90 to 99 percent may now emit well below the 10 ton and 25 ton threshold, so cutting back on the use of expensive controls could lead their emissions to skyrocket.

“Is industry going to try and save money and pollute more or spend more money and pollute less? I think that question answers itself,” Walke said, accusing Wheeler of “magical thinking.”

Clinton administration EPA head Carol Browner called the rule “another blow to our health and environment from an EPA administration that relentlessly attacks bedrock environmental protections.”

“This is a lawless action that will undoubtedly increase carcinogens and other deadly pollution in our air,” Browner said in a statement. “Taking this action during a global pandemic that preys upon people with existing respiratory ailments further confirms that for Andrew Wheeler and the political leadership of the EPA the cruelty is the point.”

Environmental groups are likely to sue over the change, arguing it's a violation of the Clean Air Act.

The EPA has targeted the once-in, always-in policy since at least 2018, when it issued guidance seeking to repeal it.

Former EPA assistant administrator for the Office of Air and Radiation Bill Wehrum argued that the guidance would “reduce regulatory burden for industries and the states, while continuing to ensure stringent and effective controls on hazardous air pollutants.”

EPA Announces The Selection Of Florida Atlantic University To Receive \$195,426 In Funding To Support Anaerobic Digestion

<http://www.publicnow.com/view/DBFC542AECCECC79DC17801572EA9AD496844EC3?1601576284>

10/01/2020 | Press release | Distributed by Public on 10/01/2020 11:49

West Palm Beach, Fla. - (October 1, 2020) Today, the U.S. Environmental Protection Agency (EPA) announced the selection of Florida Atlantic University in Boca Raton as part of a total of 12 recipients to receive approximately \$3 million in funding to help reduce food loss and waste and to divert food waste from landfills by expanding anaerobic digester capacity in the United States. The project types selected for funding include feasibility studies, demonstration projects, as well as technical assistance and training. EPA anticipates that it will make these awards once all legal and administrative requirements are satisfied.

'Finding solutions to better curb food waste continues to be a top priority for the Trump administration,' said EPA Administrator Andrew Wheeler. 'This year's round of innovative community projects is focusing on ways to reduce food waste at the local and state levels and divert it from landfills.'

'EPA commends Florida Atlantic University for stepping up to research solutions to reduce food loss and waste,' said EPA Region 4 Administrator Mary S. Walker. 'We look forward to the sustainable environmental results that will help create a cleaner, healthier environment.'

'FAU is excited to transform food waste into sustainable energy resources at wastewater treatment facilities so that communities across the country can benefit from our work,' said Dr. Daniel E. Meeroff, Professor and Associate Chair in the Department of Civil, Environmental & Geomatics Engineering at Florida Atlantic University.

Florida Atlantic University is anticipated to receive \$195,426 to systematically develop the science needed to build the foundation of a regional organics diversion model that takes advantage of excess digester capacity at local wastewater treatment facilities.

This anaerobic digestion funding opportunity is a part of EPA's efforts and contributions to the Winning on Reducing Food Waste Initiative, a partnership among EPA, the U.S. Department of Agriculture, and Food and Drug Administration, to reduce food loss and waste through individual and combined federal action. Anaerobic digestion is a process where microorganisms break down organic materials, such as food scraps, manure and sewage sludge, all in the absence of oxygen. Anaerobic digestion produces biogas, which can be captured and used for energy production, and 'digestate,' a nutrient-rich product, such as a fertilizer.

Anaerobic digestion is a strategy included in EPA's food recovery hierarchy that is preferable to landfilling/incineration because it reclaims valuable resources. Keeping food waste from landfills, such as transforming it into fuel or fertilizer, can save money and reduce environmental impacts.

The remaining eleven projects selected for funding are:

Central New York Technology Development Organization (Liverpool, N.Y.): Plans to install equipment to increase digester capacity, host community education/outreach tours, and develop a case study for this demonstration project.

Center for EcoTechnology (Pittsfield, Mass.): Plans to work with government agencies, haulers, food businesses, trade associations, and others in the Northeast US to provide technical assistance, training and capacity building that will develop and disseminate AD resources.

City of Oxnard (Oxnard, Calif.): Plans to conduct a feasibility evaluation for the city's organic waste and test run delivery to the city's wastewater treatment plant for co-digestion.

Dickinson College (Carlisle, Pa.): Plans to conduct research to establish the impact of different kinds of feedstock blends on digester performance and provide field days, youth content, a video and conference workshops.

Emory University (Atlanta, Ga.): Plans to establish a prototype on campus as a demonstration site to design AD that seeks to reduce Environmental Justice concerns that can be replicated by universities, corporations, local communities, and governments.

Montana State University (Bozeman, Mont.): Plans to initiate a pilot study to facilitate the upscaling of anaerobic digestion of food scraps in households and produce outreach materials on the project.

North Central Texas Council of Governments (Arlington, Texas): Plans to coordinate with stakeholders in the North Central Texas region to complete a food waste to fuel feasibility study.

University of California-Davis (Davis, Calif.): Will demonstrate a system for biomass recycling and creation of ammonia fertilizer to optimize their current digester system and disseminate results.

University of Illinois-Chicago (Chicago, Ill.): Plans to create a technical and educational assistance center focused on helping AD facilities interested in creating, expanding, or fully utilizing its capacity and the accompanying biogas and digestate.

University of Missouri-Columbia (Columbia, Mo.): Plans to conduct research on co-digestion of AD to provide technical assistance and outreach activities through partnership programs and trainings for farmers, schools, AD companies, and governments.

Washington State University (Pullman, Wash.): Plans to leverage research and data derived from Washington State University's partnerships with other state institutions to identify three optimal areas in Washington State for developing successful, multi-partner digester projects.

Background:

In 2019, EPA awarded a total of more than \$110,000 in targeted cooperative agreements, to the city of Madison, Wisconsin, the Vermont Department of Environmental Conservation and Washington State University's Energy Program for expanding anaerobic digester capacity. Plans from these recipients include holding workshops promoting anaerobic digestion projects, providing subawards, and assistance opportunities for anaerobic digestion projects focusing on the food and beverage business sector.

For more information on anaerobic digestion, please visit: <https://www.epa.gov/anaerobic-digestion>.

To learn about other EPA Resources and Possible Funding Opportunities Related to the Food System, please visit: <https://www.epa.gov/sustainable-management-food/resources-and-possible-funding-opportunities-related-food-system>

EPA selects Montana State University to receive \$299,881 in funding to initiate anaerobic digestion pilot study

<https://www.marketscreener.com/news/latest/EPA-selects-Montana-State-University-to-receive-299-881-in-funding-to-initiate-anaerobic-digestion--31459766/>

10/01/2020 | 04:10pm EDT

News Releases from Region 08

Montana State University one of 12 organizations nationwide to receive funding to support anaerobic digestion in communities

10/01/2020

BOZEMAN - Today, the U.S. Environmental Protection Agency (EPA) announced that the Agency selected Montana State University (MSU) to receive approximately \$300,000 in funding to help reduce food loss and waste and to divert food waste from landfills by expanding anaerobic digester capacity in Bozeman. EPA anticipates that it will make the award once all legal and administrative requirements are satisfied.

'At EPA, we think about the entire life cycle of materials, not just what to do with them at the end of life,' said EPA Regional Administrator Greg Sopkin. 'MSU's project has great potential to feed soils and conserve moisture, reduce greenhouse gas emissions, and reduce food waste - all while working with and customizing solutions for the community.'

The grant award will fund a 12-household pilot study in Bozeman that will assess the potential of anaerobic digestion of food scraps to produce biofertilizer at the household level. During the 2-year study, MSU students, in cooperation with the City of Bozeman, will analyze the food waste generated by the households, develop mixes of food waste that can be anaerobically digested to nutritive fertilizers, and assess two different types of anaerobic digesters for their effectiveness and household usability. Following conclusion of the research, students will produce outreach materials and conduct a workshop to facilitate the upscaling of anaerobic digestion in households.

'This is an exciting project for MSU in that it advances researcher and student interest in diverting food waste from landfills, while also exemplifying our land-grant mission of integrating research, teaching, and service to communities,' said Alison Harmon, dean of the College of Education, Health and Human Development at Montana State University. 'The City of Bozeman will be an excellent learning partner in this endeavor to improve sustainability in our local food system.'

The anaerobic digestion funding opportunity is a part of EPA's efforts and contributions to the [Winning on Reducing Food Waste Initiative](#), a partnership among EPA, the U.S. Department of Agriculture, and Food and

Drug Administration, to reduce food loss and waste through individual and combined federal action. Anaerobic digestion is a process where microorganisms break down organic materials, such as food scraps, manure and sewage sludge, all in the absence of oxygen. Anaerobic digestion produces biogas, which can be captured and used for energy production, and 'digestate,' a nutrient-rich product, such as a fert

Anaerobic digestion is a strategy included in EPA's food recovery hierarchy that is preferable to landfilling/incineration because it reclaims valuable resources. Keeping food waste from landfills, such as transforming it into fuel or fertilizer, can save money and reduce environmental impacts.

Background:

In 2019, EPA awarded a total of more than \$110,000 in targeted cooperative agreements, to the City of Madison, Wisconsin, the Vermont Department of Environmental Conservation and Washington State University's Energy Program for expanding anaerobic digester capacity. Plans from these recipients include holding workshops promoting anaerobic digestion projects and providing subawards and assistance opportunities for anaerobic digestion projects focusing on the food and beverage business sector.

For more information on anaerobic digestion, please visit: <https://www.epa.gov/anaerobic-digestion>. To learn about other EPA Resources and Possible Funding Opportunities Related to the Food System, please visit: <https://www.epa.gov/sustainable-management-food/resources-and-possible-funding-opportunities-related-food-system>

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EPA U S Environmental Protection Agency : Announces Selection of WSU for \$129,727 Grant to Help Communities Turn Food Waste into Fuel and Fertilizer

<https://www.marketscreener.com/news/latest/EPA-U-S-Environmental-Protection-Agency-Announces-Selection-of-WSU-for-129-727-Grant-to-Help-Comm--31459437/>

10/01/2020 | 03:00pm EDT

News Releases from Region 10

Washington State University is among 12 Organizations to Receive National Funding to Support Anaerobic Digestion in Communities

10/01/2020

SEATTLE - Today, the U.S. Environmental Protection Agency announced that Washington State University was selected to receive \$129,727 in grant funding to help develop multi-partner anaerobic digester projects in the Northwest. WSU is among 12 recipients selected to receive national funding to help reduce food loss and waste and to divert food waste from landfills by expanding anaerobic digester capacity in the U.S. EPA anticipates that it will make these awards once all legal and administrative requirements are satisfied.

'Finding solutions to better curb food waste continues to be a top priority for this administration,' said EPA Administrator Andrew Wheeler. 'This year's round of innovative community projects is focusing on ways to reduce food waste at the local and state levels and divert it from landfills.'

'With half of our food waste still going into landfills, we are missing out on opportunities to use this hidden resource,' said EPA Regional Administrator Chris Hladick. 'When wasted food is instead recovered and used in anaerobic digestion and other processes for renewable fuel, fertilizer and other sustainable products, we gain benefits for Washington's economy, environment and communities.'

WSU's [Center for Sustaining Agriculture and Natural Resources](#), will use the EPA grant to leverage research and data derived from WSU's partnerships with other state institutions, including Washington State Departments of Commerce and Ecology, to identify three optimal areas in Washington for developing successful, multi-partner digester projects. WSU will then take advantage of the team's expertise in research and extension relating to anaerobic digestion to interview potential anaerobic digestion partners, with the goal of exploring their interest in anaerobic digestion projects, the potential benefits and constraints that would affect their participation, and their particular industry's risks and risk thresholds. The team will produce tailored research briefs to address concerns specific to each group of stakeholders and bring the most appropriate and willing stakeholders together in project charrettes to lay out tangible groundwork for viable anaerobic digester projects.

'We know that digester projects can provide many benefits, but it takes careful planning to ensure they have the best chance of success,' said Georgine Yorgey, project lead and Associate Director with the Center for Sustaining Agriculture and Natural Resources. 'We are thrilled to have this opportunity to work with partners across the state towards recovering energy from organic wastes.'

[Anaerobic digestion](#) is a process where microorganisms break down organic materials, such as food scraps, manure and sewage sludge, all in the absence of oxygen. Anaerobic digestion produces biogas, which can be captured and used for energy production, and 'digestate,' a nutrient-rich product, such as a fertilizer. Anaerobic digestion is a strategy included in EPA's [food recovery hierarchy](#) that is preferable to landfilling/incineration because it reclaims valuable resources. This anaerobic digestion grant is a part of EPA's efforts and contributions to the [Winning on Reducing Food Waste Initiative](#), a partnership among EPA, the Department of Agriculture, and Food and Drug Administration, to reduce food loss and waste through individual and combined federal action.

Background

In 2019, [EPA awarded a total of more than \\$110,000](#) in targeted cooperative agreements, to Madison, Wisconsin, Vermont Department of Environmental Conservation and WSU's Energy Program for expanding anaerobic digester capacity. Plans from these recipients include holding workshops promoting anaerobic digestion projects, providing subawards, and assistance opportunities for anaerobic digestion projects focusing on the food and beverage business sector. WSU's Energy Program received \$27,500 in anaerobic digestion grant funding to host workshops on Renewable Natural Gas Outreach and Education in the Pacific Northwest.

To learn about other EPA Resources and Funding Opportunities for a Sustainable Food System, visit:

<https://www.epa.gov/sustainable-management-food/resources-and-possible-funding-opportunities-related-food-system>

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Fairfield Superfund site plan to clean up contaminated soil finalized by EPA

<https://www.northjersey.com/story/news/environment/2020/10/01/fairfield-nj-unimatic-superfund-site-plan-finalized-epa/5881039002/>

By Anthony Zurita

1 Oct 2020

Federal officials have finalized a plan to remove thousands of cubic yards of soil laced with carcinogens at a former industrial site in Fairfield to prevent the pollution from reaching the Passaic River.

The U.S. Environmental Protection Agency finalized the second part of an \$18 million plan from 2016 to clean up the former Unimatic Manufacturing Corp. site, which lies between the Willowbrook Mall in Wayne and Essex County Airport, the EPA said in a statement.

The site was added to the EPA's Superfund program in 2014. Unimatic ran a metals-molding facility on the 1-acre property from 1955 to 2001 and operated machines that used lubricating oil containing cancer-causing PCBs, or polychlorinated biphenyls.

"EPA's plan will protect residents from the PCB contamination at the site over the long-term by removing contaminated sediment and restoring wetlands while monitoring and controlling area groundwater," EPA Regional Administrator Pete Lopez said in a statement.

The first part of the cleanup plan, which was finalized in 2016, will be to raze a contaminated building on Sherwood Lane and remove contaminated soil to an "off-site facility," the statement said.

The building will need to be razed carefully, so harmful particles are not released into the air. The site is about 800 feet from residential subdivisions.

PCBs cause such serious health problems that the product was banned in 1979, though companies still were allowed to use PCB-laden products made before the ban. Exposure to PCBs can cause skin conditions such as acne and rashes, and PCBs are considered a likely human carcinogen. PCBs can affect the immune, reproductive, nervous and endocrine systems.

Because they don't break down easily, PCBs can travel long distances in the air and stick to soil and sediment in waterways. There is concern about the contamination leaving the site because a storm drain that collects most rainfall runoff from the property flows to an unnamed tributary and into Deepavaal Brook, which enters the Passaic near the Willowbrook Mall.

Any areas of wetlands and vegetation disturbed by the cleanup will then be restored, the statement said. The EPA will also restrict the use of groundwater from the site and monitor it to prevent and reduce human exposure until the cleanup goals are met.

Anthony Zurita is a breaking news reporter for NorthJersey.com. For unlimited access to all the major news happening in North Jersey, [subscribe here](#). To get breaking news directly to your inbox, [sign up for our newsletter](#).

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Massachusetts-based Center for EcoTechnology Among 12 Organizations to Receive EPA Funding to Support Anaerobic Digestion in Communities

<https://www.marketscreener.com/news/latest/Massachusetts-based-Center-for-EcoTechnology-Among-12-Organizations-to-Receive-EPA-Funding-to-Suppor--31459541/>

10/01/2020 | 03:25pm EDT

BOSTON - Today, the U.S. Environmental Protection Agency (EPA) announced that the Agency selected 12 recipients to receive approximately \$3 million in funding to help reduce food loss and waste and to divert food waste from landfills by expanding anaerobic digester capacity in the United States. The project types selected for funding include feasibility studies, demonstration projects, as well as technical assistance and training. EPA anticipates that it will make these awards once all legal and administrative requirements are satisfied.

The Massachusetts-based Center for EcoTechnology will receive a \$290,422 grant and plans to work with government agencies, haulers, food businesses, trade associations, and other entities in New England and the Mid-Atlantic to provide technical assistance, training and capacity building that will develop and disseminate anaerobic digestion resources.

'Finding solutions to better curb food waste continues to be a top priority for the Trump administration,' said EPA Administrator Andrew Wheeler. 'This year's round of innovative community projects is focusing on ways to reduce food waste at the local and state levels and divert it from landfills.'

'Finding solutions to better curb food waste continues to be a top priority for EPA nationwide and we are especially proud to have a grantee in New England in the Center for EcoTechnology that is doing great work to help advance this goal,' said EPA New England Regional Administrator Dennis Deziel. 'With this funding, CET will help expand anaerobic digestion, while reducing food waste that goes into our landfills and incinerators in seven states in New England and the Mid-Atlantic.'

John Majercak, President, Center for EcoTechnology said: 'We are very excited for the opportunity to partner with US EPA to address wasted food and expand the use of Anaerobic Digestion as one of the important solutions in the food recovery hierarchy. This grant will deepen our engagement with cities, state agencies, industry and nonprofit organizations from Maryland to Massachusetts. We will deploy field tested strategies to increase wasted food diversion and achieve the economic and environmental benefits that result when tackling this important issue.'

This anaerobic digestion funding opportunity is a part of EPA's efforts and contributions to the [Winning on Reducing Food Waste Initiative](#), a partnership among EPA, the U.S. Department of Agriculture, and Food and Drug Administration, to reduce food loss and waste through individual and combined federal action. Anaerobic digestion is a process where microorganisms break down organic materials, such as food scraps, manure and sewage sludge, all in the absence of oxygen. Anaerobic digestion produces biogas, which can be captured and used for energy production, and 'digestate,' a nutrient-rich product, such as a fertilizer.

Anaerobic digestion is a strategy included in EPA's [food recovery hierarchy](#) that is preferable to landfilling/incineration because it reclaims valuable resources. Keeping food waste from landfills, such as transforming it into fuel or fertilizer, can save money and reduce environmental impacts.

Background:

In 2019, EPA awarded a total of more than \$110,000 in targeted cooperative agreements, to the city of Madison, Wisconsin, the Vermont Department of Environmental Conservation and Washington State University's Energy

Program for expanding anaerobic digester capacity. Plans from these recipients include holding workshops promoting anaerobic digestion projects, providing subawards, and assistance opportunities for anaerobic digestion projects focusing on the food and beverage business sector.

For more information on anaerobic digestion, please visit: <https://www.epa.gov/anaerobic-digestion>.

To learn about other EPA Resources and Possible Funding Opportunities Related to the Food System, please visit: <https://www.epa.gov/sustainable-management-food/resources-and-possible-funding-opportunities-related-food-system>

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U.S. EPA selects two California organizations for funding to support food waste reduction through anaerobic digestion

https://www.marketscreener.com/news/latest/U-S-EPA-selects-two-California-organizations-for-funding-to-support-food-waste-reduction-through-an--31459143/?utm_medium=RSS&utm_source=googlenews&utm_content=20201001

10/01/2020 | 01:30pm EDT

SAN FRANCISCO - Today, the U.S. Environmental Protection Agency (EPA) announced the selection of two California organizations for grants to divert food waste from landfills by expanding anaerobic digester capacity. Nationally, California grantees UC Davis and the City of Oxnard are among 12 recipients to receive approximately \$3 million in funding. The project types selected for funding include feasibility studies, demonstration projects, as well as technical assistance and training. EPA anticipates that it will make these awards once all legal and administrative requirements are satisfied.

'Finding solutions to better curb food waste continues to be a top priority for the Trump administration,' said EPA Administrator Andrew Wheeler. 'This year's round of innovative community projects is focusing on ways to reduce food waste at the local and state levels and divert it from landfills.'

'Healthy soil is important to farmers, their families and the community,' said EPA Pacific Southwest Regional Administrator John Busterud. 'These anaerobic digestion projects will help turn what was once waste into products to our fields and create renewable energy.'

The selected grant recipients in California and anticipated award amounts are:

University of California-Davis (Davis, Calif.), \$299,000 to demonstrate a system for biomass recycling that produces a concentrated ammonia fertilizer by optimizing their current digester system.

City of Oxnard (Oxnard, Calif.), \$182,000 to conduct a feasibility evaluation of the city's organic waste for anaerobic digestion and to test run delivery to the city's wastewater treatment plant for co-digestion.

'This project will demonstrate novel technologies at the acclaimed UC Davis Renewable Energy Anaerobic Digester with an aim of increasing the amount of food waste processed in the existing digester facility while simultaneously producing valuable biofertilizer products with high market potential,' said Ruihong Zhang, Principal Investigator for the Department of Biological and Agricultural Engineering at UC Davis. 'This project

represents a leap-forward in the anaerobic digestion system with high potential for environmental benefits and expansion of the sustainable economy for the next generation of American jobs.'

'Thanks to this EPA grant, the City can break down organic waste and turn it into electricity at our wastewater facility,' said Rosemarie Gaglione, City of Oxnard's Public Works Director. 'Using this renewable energy will save our ratepayers while also meeting the State's new requirements to keep food waste out of landfills.'

This anaerobic digestion funding is a part of EPA's contributions to the Winning on Reducing Food Waste Initiative, a partnership among EPA, the U.S. Department of Agriculture, and Food and Drug Administration, to reduce food loss and waste through individual and combined federal action. Anaerobic digestion is a process whereby microorganisms break down organic materials, such as food scraps, manure and sewage sludge, all in the absence of oxygen. Anaerobic digestion produces biogas, which can be captured and used for energy production, and 'digestate,' a nutrient-rich product, such as a fertilizer.

Anaerobic digestion is a strategy included in EPA's food recovery hierarchy that is preferable to landfilling/incineration because it reclaims valuable resources. Keeping food waste from landfills, such as transforming it into fuel or fertilizer, can save money and reduce environmental impacts.

The additional 10 projects selected around the country are:

Central New York Technology Development Organization (Liverpool, N.Y.)

Center for EcoTechnology (Pittsfield, Mass.)

Dickinson College (Carlisle, Pa.)

Emory University (Atlanta, Ga.)

Montana State University (Bozeman, Mont.)

North Central Texas Council of Governments (Arlington, Texas)

Florida Atlantic University (Boca Raton, Fla.)

University of Illinois-Chicago (Chicago, Ill.)

University of Missouri-Columbia (Columbia, Mo.)

Washington State University (Pullman, Wash.)

For more information on EPA and anaerobic digestion, please visit: <https://www.epa.gov/anaerobic-digestion>.

To learn about other EPA Resources and Possible Funding Opportunities Related to the Food System, please visit: <https://www.epa.gov/sustainable-management-food/resources-and-possible-funding-opportunities-related-food-system>

Learn more about EPA's Pacific Southwest Region. Connect with us on Facebook and on Twitter.

Attachments

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EPA moves forward with controversial toxic water cleanup in Ringwood

<https://www.northjersey.com/story/news/environment/2020/10/01/epa-approves-controversial-toxic-water-cleanup-ringwood-nj/5880581002/>

By Scott FallonDavid M. Zimmer

1 Oct 2020

The Environmental Protection Agency has approved a cleanup plan for toxic water in Ringwood that many residents — and the operator of the nearby Wanaque Reservoir — have criticized because they say it falls short of a complete remediation plan at a Superfund site with a history of trouble.

The \$3.4 million plan calls for compounds to be pumped underground to treat dangerous chemicals that likely originated from paint sludge and other pollution dumped by contractors for Ford Motor Co. a half century ago next to a low-income neighborhood and just north of the reservoir.

EPA Regional Administrator Pete Lopez said Thursday the plan will "ensure that [toxic water] does not pose a risk to people in the community."

But critics, including members of the Ramapough Lenape tribe that call the area home, have said the water should be pumped out of the ground and treated at the surface — a more costly process. The water contains levels of benzene, arsenic and 1,4-dioxane above state groundwater standards.

The North Jersey District Water Supply Commission, which operates the nearby Wanaque Reservoir, likewise pushed for a pump and treat system, saying it would provide better protection for drinking water that is supplied to as many as 3.5 million New Jerseyans.

The plan comes more than a year after EPA approved a similarly controversial \$21 million settlement with Ford and Ringwood to deal with toxic soil at the sprawling Superfund site, which is home to centuries-old iron mines nestled among forested hills.

That plan keeps 166,000 tons of contaminated soil at the O'Connor Disposal Area despite the objections of residents who live nearby, including many members of the Ramapough tribe.

Like the soil cleanup, Ford and the Borough of Ringwood are responsible to pay for the groundwater cleanup.

Nearly all samples collected in February 2017 by Cornerstone exceeded the New Jersey groundwater quality standard for 1,4-dioxane, a chemical compound and a probable carcinogen under investigation by the EPA. One well sample exceeded the standard by a factor of over 200.

There is similarly contaminated groundwater under the town-owned landfill, records show.

The EPA plan also calls for sentinel wells in areas with no groundwater contamination to warn of migrating toxins. But Joe Gowers, EPA project manager, said they are only precautionary. Decades of samples show that contaminants are not migrating off-site, or into town drinking water wells, or to the reservoir, Gowers said.

Scott Fallon covers the environment for NorthJersey.com. To get unlimited access to the latest news about how New Jersey's environment affects your health and well-being, please subscribe or activate your digital account today.

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Nassau Settles Federal Environmental Lawsuit

<https://patch.com/new-york/massapequa/nassau-settles-federal-environmental-lawsuit>

By [Alex Costello](#), Patch Staff

Oct 1, 2020 1:41 pm ET

NASSAU COUNTY, NY — The U.S. Attorney for the Eastern District of New York announced this week that it has settled an environmental lawsuit with Nassau County. As a result, the county will have to pay more than \$400,000 in penalties.

The settlement was announced by Acting U.S. Attorney Seth DuCharme. It addressed the county's failure to comply with federal regulations for underground storage tanks, and with an EPA administrative order at 48 county facilities. In doing so, the county violated the Resource Conservation and Recovery Act (RCRA). As part of the settlement, Nassau will have to install equipment to assure adequate leak detection at all county facilities, and also pay a civil penalty of \$427,500.

"The United States is pleased to announce this settlement with Nassau County that will help protect the health and safety of county residents and our groundwater, which may be jeopardized when underground storage tanks are not properly monitored," DuCharme said. "The settlement enforces RCRA's underground storage tank regulations at Nassau's facilities, which are critical to mitigate the risk of spills and leaks. This office will vigorously enforce RCRA against parties who illegally operate underground storage tanks and compromise the safety of our community."

According to DuCharme, the Environmental Protection Agency filed a complaint against the county alleging that it repeatedly failed to comply with underground storage tank safety requirements at 33 facilities between 2008 and 2010. The EPA and the county settled those claims in 2012. However, the county failed to complete the work requirements that were part of the settlement, DuCharme said.

In addition, DuCharme said the county continued to violate the regulations from 2012 to 2017 at multiple facilities.

This new settlement requires the county to fully comply with underground storage tank regulations. It will have to install and operate release detection equipment and overfill and spill prevention equipment, upgrade some of its storage tanks and close others.

The county will have to install and operate a centralized monitoring system, which will allow it to quickly respond to any leaks in county facilities.

Turning To Town Meetings To Overturn Approval Of PCB Dump In Berkshire County

<https://www.nepm.org/post/turning-town-meetings-overturn-approval-pcb-dump-berkshire-county#stream/0>

By [NANCY EVE COHEN](#) • 10 MINUTES AGO

The Environmental Protection Agency's controversial plan to build a PCB disposal site in Berkshire County is the subject of several proposals on the [Town Meeting agenda](#) in Lee, Massachusetts, on Thursday night.

Citizens in other towns are taking a similar strategy. Lenox held a [special Town Meeting](#) outside on Saturday afternoon. Residents wanted to "advise the Board of Selectmen to rescind their support" of EPA's cleanup plan of the Housatonic River.

Lenox's proposal, and others in [Great Barrington](#) and Lee, grew out of citizen opposition to an agreement by representatives of five cities and towns near the river — along with the EPA, some environmental groups and General Electric.

The company contaminated the river with PCBs from the 1930s through the 1970s, when they were banned by Congress.

The agreement calls for shipping sediment containing higher levels of PCBs to a facility out of state. But the lower levels would be at a disposal site in Lee, just across the river from Lenox Dale.

Speaking at the Lenox Town Meeting, resident Debra Kelly said the voters did not have a say.

"This is a horrible solution for all of us in Berkshire County, but especially for the residents of Lenox Dale and Lee," Kelly said. "The total lack of transparency demonstrated in this process is really hard to comprehend, let alone accept. The insanity of this is that GE, the polluter, wins."

Ed Lane is a member of the Lenox Select Board, which unanimously approved the agreement. He said his home is close to the disposal site.

"I live about 2,300 feet away, but I believe in science," Lane said. "I believe in technology. I believe in engineering. And this is going to be a dump with very low levels of toxins in it. It's going to be overbuilt. So I feel perfectly safe living next to that."

But by a slim majority, 72-65, voters disagreed, advising the Select Board to rescind their support of the cleanup deal.

Lenox is due to get \$25 million from GE. The town attorney said the agreement is a signed contract, and if the town were to attempt to pull out of it, Lenox could be sued.

Meanwhile, in the neighborhood in Lee near the disposal site, signs declaring "No PCB Dumps" dot front lawns.

Resident Janice Castegnaro Braim, who grew up in that neighborhood, said the whole town should get to vote on the disposal site.

"It's not healthy. It's not right," she said. "I feel, you know, we could vote on plastic bags, but we couldn't vote on a toxic dump, which is ridiculous. And I think the selectmen should listen to the people who they're representing, and rescind this deal."

Lee Selectman Patricia Carlino represented the town in the negotiations with General Electric. She said that originally, she vowed to lay down on the ground before any construction started on a dump in Berkshire County. But after participating in the closed-to-the-public mediation for more than a year, she decided the deal was "the least bad."

"If we went back to court and lost, we'd lose everything. And I'm not talking money," Carlino said. "We'd have three dumps in Berkshire County. We'd have everything that is in the river in Berkshire County."

Meaning if a court battle ensued, and the towns lost, all the PCB waste dug up from the river could be dumped in the Berkshires.

GE's original proposal was for three disposal sites in the county.

At Lee's Town Meeting Thursday night, representatives will meet in a school auditorium – and registered voters in the gymnasium, with audio and video communication between the two rooms.

It's an arrangement designed to prevent the spread of COVID-19.

But it means people already divided over a toxic waste site don't have the chance to all come together, face to face.

U.S. EPA Announces \$88 Million Water Infrastructure Loan For Innovative Water Reuse Project In Soquel, CA

<http://www.publicnow.com/view/C84547AD076E5615E4877BC7F72F5B0A5C40A40A?1601574456>

10/01/2020 | Press release | Distributed by Public on 10/01/2020 11:04

SOQUEL, Calif.- Today, the U.S. Environmental Protection Agency (EPA) announced an \$88 million Water Infrastructure Finance and Innovation Act (WIFIA) loan to the Soquel Creek Water District in California for an innovative water reuse project that will produce safe drinking water by purifying recycled water. The project will also help prevent further seawater intrusion by replenishing the critically stressed aquifer that serves as Soquel's drinking water source.

'Monterey Bay plays a vital role in the region's marine health and biodiversity,' said EPA Pacific Southwest Regional Administrator John Busterud. 'EPA's financial support to the Soquel Creek Water District will help protect the Bay while replenishing local groundwater and ensuring that the community is more resilient against drought.'

The Pure Water Soquel project will use advanced technology to purify recycled water, producing 1.3 million gallons per day of safe, high-quality water and providing a reliable, sustainable and drought-resistant water supply that meets current and future demands. The project will also prevent further intrusion of saltwater into the aquifer and support the preservation of a sustainable groundwater basin. When complete, the project will lessen the need for potential future diversions from sensitive waterways like the San Lorenzo River. Additionally, by reusing water, the project will reduce discharges of treated wastewater to the Monterey Bay National Marine Sanctuary.

'With 40 states anticipating some freshwater shortages within their borders in the next 10 years, projects like Pure Water Soquel Creek are taking the challenge of meeting 21st century water demands head on,' said EPA Assistant Administrator for Water David Ross. 'Through WIFIA, EPA is able to support innovative water infrastructure to help diversify water supplies and protect groundwater while saving ratepayers money.'

The Pure Water Soquel project supports a larger effort to improve the security, sustainability and resilience of our nation's water resources through water reuse. In February 2020, EPA Administrator Andrew Wheeler announced the [National Water Reuse Action Plan](#), a collaborative approach to water reuse that identifies 37 specific actions led by a spectrum of federal, state, local and other water sector interests. Over the coming months, EPA will be seeking input from stakeholders that will help inform the next iteration of the Action Plan, which is slated for release in Spring 2021.

EPA's WIFIA loan will provide financing for \$88 million of the Pure Water Soquel project cost while remaining costs will be funded by a combination of system funds, a Proposition 1 Groundwater grant, and a Seawater Intrusion Control loan from the state of California. The WIFIA loan will save the Soquel Creek Water District an estimated \$66.7 million compared to typical market financing while project construction and operation are expected to create an estimated 581 jobs.

'I want to congratulate the Soquel Creek Water District for this significant milestone in the history of the Pure Water Soquel project,' said U.S. Representative Jimmy Panetta (CA-20). 'Seawater intrusion into critical groundwater supplies is of great concern throughout my coastal district, and with this low-interest loan, the District can begin the next phase project, helping ensure the long-term protection of our local water supply.'

'This very low-interest loan from WIFIA is a real landmark in Soquel Creek Water District's efforts to address our critical water supply issues,' said California State Assembly Member Mark Stone. 'We are so fortunate here

in Santa Cruz County to benefit from this extraordinary level of support and funding from the U.S. EPA, as well as from our own State Water Board, which is making the difference in assuring long-term sustainability of the community's drinking water supply.'

'Maintaining a clean, reliable supply of drinking water is clearly one of the most vital issues here and throughout California,' said Zach Friend of the Santa Cruz County Board of Supervisors. 'With the help of this generous WIFIA loan from the US EPA, the Soquel Creek Water District is poised to take a giant leap forward toward local water supply sustainability, by creating a new source of pure water, replenishing the groundwater, and preventing further seawater contamination.'

'We're grateful to the EPA for this WIFIA loan, which will help the District in our roles as both our community's water supplier and environmental steward,' said Dr. Bruce Daniels, President of the Soquel Creek Water District Board of Directors. 'Assuring the sustainability of our groundwater supply is paramount. With this loan, we're able to accomplish that, while reducing the burden on our rate payers and providing a drought-proof water supply for today and future generations.'

'This low-interest loan represents a valuable partnership and investment among the District, the EPA and our local rate payers in support of our Pure Water Soquel Project,' said Ron Duncan, Soquel Creek Water District General Manager. 'The project will replenish and protect the groundwater - our sole source of drinking water - from being further contaminated by saltwater intrusion, which is already detected in multiple locations. Thanks to the EPA and this WIFIA loan, we're on track to implement Pure Water Soquel.'

WIFIA is providing financial support at a critical time as the federal government, EPA, and the water sector work together to help mitigate the public health and financial impacts of COVID-19. Since the beginning of March 2020, WIFIA has announced fifteen loans and updated four existing loans with lower interest rates. These recent efforts by EPA's WIFIA program will save ratepayers over \$1 billion compared to typical market financing. Since the first WIFIA loan closed in April 2018, EPA has now issued 31 WIFIA loans totaling \$6 billion in credit assistance to help finance \$13 billion for water infrastructure projects while creating 28,000 jobs and saving ratepayers \$2.7 billion.

Background on WIFIA

Established by the Water Infrastructure Finance and Innovation Act of 2014, the WIFIA program is a federal loan and guarantee program administered by EPA. WIFIA's aim is to accelerate investment in the nation's water infrastructure by providing long-term, low-cost supplemental credit assistance for regionally and nationally significant projects. The WIFIA program has an active pipeline of pending applications for projects that will result in billions of dollars in water infrastructure investment and thousands of jobs.

EPA is accepting Letters of Interest for FY 2020 until October 15, 2020. Approximately \$5 billion in financing is available. For more information about the FY 2020 selection process, visit: <https://www.epa.gov/wifia/wifia-funding-currently-available>.

For more information about the WIFIA program's accomplishments through 2019, visit: <https://www.epa.gov/newsreleases/epa-announces-first-wifia-annual-report-highlighting-35-billion-infrastructure-funding>.

For more information about the WIFIA program, visit <https://www.epa.gov/wifia>.

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